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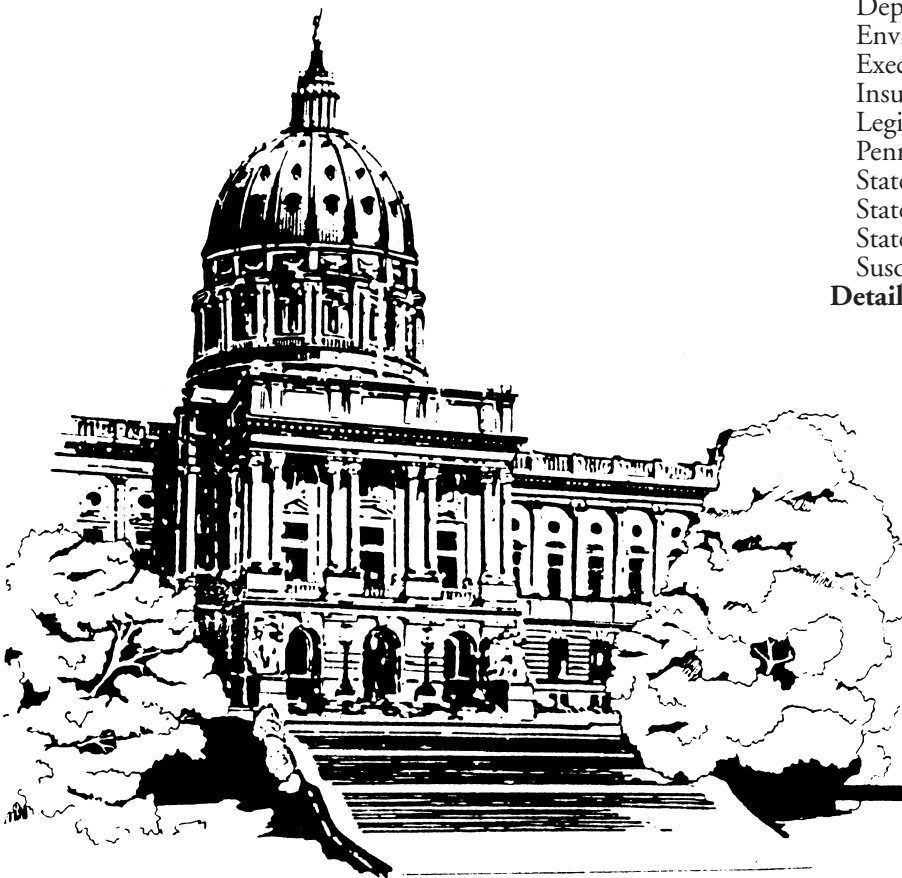
# PENNSYLVANIA BULLETIN

Volume 45  
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Number 42  
Pages 6187—6258

**Agencies in this issue**

Department of Agriculture  
Department of Banking and Securities  
Department of Conservation and Natural  
Resources  
Department of Environmental Protection  
Department of Health  
Department of Labor and Industry  
Department of Transportation  
Environmental Quality Board  
Executive Board  
Insurance Department  
Legislative Reference Bureau  
Pennsylvania Public Utility Commission  
State Board of Nursing  
State Employee's Retirement Board  
State Real Estate Commission  
Susquehanna River Basin Commission

**Detailed list of contents appears inside.**



**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 491, October 2015**

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND THE PENNSYLVANIA CODE

## *Pennsylvania Bulletin*

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Pennsylvania Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

## **Adoption, Amendment or Repeal of Regulations**

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances when the agency may omit the proposal step; it still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania Bulletin* before it can take effect. If the agency

wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, it must repropose.

## **Citation to the *Pennsylvania Bulletin***

Cite material in the *Pennsylvania Bulletin* by volume number, a page number and date. Example: Volume 1, *Pennsylvania Bulletin*, page 801, January 9, 1971 (short form: 1 Pa.B. 801 (January 9, 1971)).

## ***Pennsylvania Code***

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa. Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

## **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacode.com](http://www.pacode.com).

Source Notes give the history of regulations. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde\\_index.cfm](http://www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm).

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred. The *Pennsylvania Bulletin* is available at [www.pabulletin.com](http://www.pabulletin.com).

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Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from a rule or regulation is enclosed in brackets [ ] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

### Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised. A fiscal note provides the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the 5 succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the 5 succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2015.

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# RULES AND REGULATIONS

## Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

### STATE BOARD OF NURSING

#### [ 49 PA. CODE CH. 21 ]

### Continuing Education; Reporting of Crimes and Discipline

The State Board of Nursing (Board) amends §§ 21.29, 21.131—21.134, 21.156, 21.332 and 21.723 and adds §§ 21.29a, 21.156b and 21.723a (relating to reporting of crimes and disciplinary action) to read as set forth in Annex A.

#### *Effective Date*

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

#### *Statutory Authority*

The amendments regarding registered nurses and licensed dietitian-nutritionists are authorized under sections 2.1(k) and 12.1(a) of The Professional Nursing Law (RN Act) (63 P.S. §§ 212.1(k) and 222(a)) which provide the general authority to the Board to establish rules and regulations for the practice of professional nursing, the practice of dietetics-nutrition, the administration of the RN Act and requirements of continuing nursing education for registered nurses. The amendments regarding practical nurses are authorized under section 17.6 of the Practical Nurse Law (PN Law) (63 P.S. § 667.6) which authorizes the Board to establish rules and regulations for the practice of practical nursing and the administration of the PN Law.

#### *Background and Purpose*

This final-form rulemaking accomplishes two goals: (1) amends current continuing education regulations for registered nurses; and (2) requires licensees to report criminal and disciplinary actions sooner than currently required. The Board published continuing education regulations implementing section 12.1 of the RN Act at 38 Pa.B. 3796 (July 12, 2008). To ease implementation, the Board provided registered nurses with a grace period of 6 months to cure deficiencies. Now that licensees have had an opportunity to obtain the continuing education and seek renewal, this grace period is no longer warranted and, in its place, the Board is implementing a procedure for continuing education compliance identical to that applied by the other licensing boards within the Bureau of Professional and Occupational Affairs. Additionally, the final-form rulemaking provides the Board with the flexibility to require licensees to complete continuing education on a specific topic as the necessity arises. This is particularly important when there are advances or changes in practice that affect the entire profession or significant modifications to the Board's regulations.

Regarding the reporting of criminal and disciplinary actions, § 21.29(c)(4) (relating to expiration and renewal of license) requires registered nurses to report these actions on their biennial renewal. Similarly, § 21.723 (relating to license renewal) requires licensed dietitian-nutritionists to report criminal and disciplinary actions at

biennial renewal. Conversely, § 21.156 (relating to renewal of license), which applies to practical nurses, formerly did not require reporting of criminal and disciplinary actions at all. In many circumstances, especially in cases when licensees enter into an Accelerated Rehabilitation Disposition (ARD) Program, licensees avoid notifying the Board of the criminal action because the matter has been expunged by the time of renewal. The Board is authorized to discipline licensees who receive ARD, disposition instead of trial or probation without verdict in the disposition of felony charges. In addition, licensees who receive ARD or other pretrial disposition of DUIs and other drug offenses may suffer from mental or physical illnesses or conditions or physiological or psychological dependence on alcohol, hallucinogenic or narcotic drugs, or other drugs which tend to impair judgment or coordination, authorizing the Board to require mental and physical examinations under section 14(a)(2) and (2.1) of the RN Act (63 P.S. § 224(a)(2) and (2.1)) or section 16(a)(6) of the PN Law (63 P.S. § 666(a)(6)). It is therefore imperative that the Board receive these reports in a timely manner.

Similarly, in spite of the statutory requirements in section 11.1 of the RN Act (63 P.S. § 221.1) and section 13.2 of the PN Law (63 P.S. § 663.2), at times the Board does not learn that disciplinary actions, including the immediate and temporary suspension of a license, were taken against a licensee in another state until the licensee reports it upon biennial renewal. To ensure that the Board receives information about these criminal and disciplinary actions in a timelier manner, the Board is updating the regulations to clarify the requirements and to expedite the reporting of crimes and disciplinary actions.

#### *Summary and Responses to Comments*

Notice of proposed rulemaking was published at 44 Pa.B. 648 (February 1, 2014). Publication was followed by a 30-day public comment period during which the Board received comments from Paula A. Bussard, Senior Vice President, Policy and Regulatory Services, The Hospital & Healthsystem Association of Pennsylvania (HAP); Margaret Cybularz, MSN, RN, Prism Career Institute; Natalie O. DeLeonardis, RN, MSN, Coordinator, North Campus Outreach Practical Nurse Program, Pennsylvania College of Technology; Dawn Johnson, MSN, RN, Ed, Practical Nurse Administrator, Erie Business Center; and Meg Rowe, Pennsylvania Academy of Nutrition and Dietetics. The Independent Regulatory Review Commission (IRRC) also submitted comments. Neither the House Professional Licensure Committee (HPLC) nor the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) commented on the proposed rulemaking.

#### *Generally*

Natalie DeLeonardis and Dawn Johnson commented in favor of the proposed rulemaking. Meg Rowe commented that the Pennsylvania Academy of Nutrition and Dietetics did not have issues with the proposed rulemaking.

#### *§§ 21.29a, 21.156b, 21.723a. Reporting of crimes and disciplinary action*

Section 21.29a(a), 21.156b(a) and 21.723a(a) require registered nurses, practical nurses and licensed dietitian-nutritionists, respectively, to report crimes and disciplinary actions to the Board within specified time frames. Margaret Cybularz expressed agreement with these re-

porting requirements in that they send a message of accountability for practice and protection of citizens in this Commonwealth. Paula Bussard noted HAP's appreciation for the standardization of reporting requirements for registered and practical nurses.

IRRC noted that §§ 21.29(c) and 21.723(b)(4) require the disclosure of pending criminal charges on the biennial renewal application and recommended that the Board amend §§ 21.29a, 21.156b and 21.723a to also require disclosure of pending criminal charges and disciplinary actions. The Board agrees with IRRC's suggestion as to pending criminal charges and amended §§ 21.29a(a), 21.156b(a) and 21.723a(b) accordingly. However, section 11.1 of the RN Act and section 13.2 of the PN Act specifically authorize the Board to require the reporting of disciplinary actions taken in other states within 90 days of final disposition and do not extend to pending disciplinary actions. For that reason, the Board did not add a requirement to report pending disciplinary actions to the final-form rulemaking.

#### § 21.131. Continuing education

Subsection (b) formerly exempted applicants for licensure by examination and endorsement from completing the continuation education requirements for the first renewal immediately following licensure. IRRC questioned the Board's rationale and statutory basis for the amendment which deleted the phrase "by examination." IRRC asked whether this amendment was intended to allow applicants for initial licensure by reciprocity to be exempt from the continuing education requirements for the first renewal immediately following licensure. In addition, IRRC asked for the statutory authority for an exemption, and an explanation of why the Board believes this is reasonable.

In revising its continuing education regulations, the Board wished to make its procedures identical to the other licensing boards within the Bureau of Professional and Occupational Affairs that require continuing education. Each of those boards exempt applicants for both licensure by examination and endorsement/reciprocity. The Board's statutory authority is in section 12.1(c) of the RN Law which exempts all individuals "applying for the first time for licensure in this Commonwealth" from the continuing education requirement for the first renewal immediately following licensure. This provision is not limited to those applying for licensure by examination. Therefore, the Board believes the exemption must be applied to all applicants applying for the first time for licensure in this Commonwealth, whether by examination or by endorsement. Had the statutory provision not included the modifier "in this Commonwealth," the Board would have retained the limitation to those applying for licensure for the first time by examination.

Paula Bussard noted HAP's appreciation for the Board's implementation of a continuing education procedure identical to that applied by other boards.

IRRC also recommended that the Board add the *Purdon's* citation to the cross-reference to section 14(a)(4)(i) of the RN Law in subsection (h)(4). The Board made this amendment to the final-form rulemaking. However, as section 14 of the RN Law is cited in subsection (h)(1), an additional *Purdon's* citation is not necessary.

#### § 21.132. Continuing education hours

Margaret Cybularz expressed agreement with the Board's replacement of "course" for "units" in subsection (b).

#### *Description of Amendments to the Final-Form Rulemaking*

The Board amended the final-form rulemaking to include the duty to report pending criminal charges in §§ 21.29a, 21.156b and 21.723a as requested by IRRC. In § 21.131(d) (relating to continuing education) the Board deleted "renewal" which was inadvertently added to the proposed rulemaking. The inclusion of "renewal" in the phrase "biennial renewal period" changes the intended meaning of the provision. The Board intends that nurses who are seeking reinstatement of a lapsed license or reactivation of an inactive license complete 30 hours of continuing education within the biennial (2-year) period immediately preceding application for reinstatement or reactivation.

#### *Fiscal Impact and Paperwork Requirements*

The Board and registered nurses should have a reduced fiscal and paperwork impact by the amendment regarding continuing education because registered nurses will only be able to renew after completing continuing education, thereby eliminating licensees' submission and the Board's dual review of renewal applications and documentation evidencing completion. Should an audit reveal deficiencies, the final-form rulemaking retains the requirement that deficiencies be made up within 6 months.

There is not additional fiscal or paperwork impact associated with the audit requirement or mandatory designated continuing education course as audits are currently occurring and the designated course can be completed as part of the 30 hours of continuing education that registered nurses shall complete each biennium.

The requirement that registered nurses, practical nurses and licensed dietitian-nutritionists report criminal actions and disciplinary sanctions to the Board within 30 and 90 days, respectively, should have a slight fiscal and paperwork impact on the Board and licensees. Under this final-form rulemaking, licensees shall report this information sooner, triggering additional paperwork responsibilities for licensees. The Board anticipates that it will see an increase in reports as licensees comply with the regulatory requirement thereby incurring additional enforcement costs.

#### *Sunset Date*

The Board continuously monitors the effectiveness of its regulations. Therefore, a sunset date has not been assigned.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on January 17, 2014, the Board submitted a copy of the notice of proposed rulemaking, published at 44 Pa.B. 648, to IRRC and the Chairpersons of the HPLC and the SCP/PLC for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC, the HPLC and the SCP/PLC were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC, the HPLC, the SCP/PLC and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on May 27, 2015, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on May 28, 2015, and approved the final-form rulemaking.



*Additional Information*

Additional information may be obtained by writing to Cynthia Miller, Board Administrator, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

*Findings*

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and the comments were considered in drafting this final-form rulemaking.

(3) The amendments made to the final-form rulemaking do not enlarge the original purpose of the proposed rulemaking published at 44 Pa.B. 648.

(4) These amendments to the regulations of the Board are necessary and appropriate for the regulation of the practice of professional nurses, practical nurses and licensed dietitian-nutritionists in this Commonwealth.

*Order*

The Board therefore orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 21, are amended by adding §§ 21.29a, 21.156b and 21.723a and amending §§ 21.29, 21.131—21.134, 21.156, 21.332 and 21.723 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(b) The Board shall submit a copy of Annex A to the Office of the Attorney General and the Office of General Counsel for approval as required by law.

(c) The Board shall certify this order and Annex A and shall deposit them with the Legislative Reference Bureau as required by law.

(d) The regulations shall take effect upon publication in the *Pennsylvania Bulletin*.

KRISTIN MALADY, BSN, RN,  
Chairperson

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 45 Pa.B. 2961 (June 13, 2015).)*

**Fiscal Note:** Fiscal Note 16A-5126 remains valid for the final adoption of the subject regulations.

**Annex A****TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS****PART I. DEPARTMENT OF STATE****Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS****CHAPTER 21. STATE BOARD OF NURSING****Subchapter A. REGISTERED NURSES LICENSES****§ 21.29. Expiration and renewal of license.**

(a) The Board will assign registered nurses to one of the following license expiration dates:

- (1) April 30 in the even-numbered years.
- (2) October 31 in the even-numbered years.
- (3) April 30 in the odd-numbered years.

(4) October 31 in the odd-numbered years.

(b) Notice of the renewal period of a license will be sent to each active licensee prior to the expiration date of the licensee's license.

(c) The applicant for license renewal may complete and submit an application online or may mail a completed application form to the Board's administrative office. When applying for licensure renewal, a registered nurse shall:

(1) Complete and submit the renewal application form, including disclosing any license to practice nursing or any allied health profession in any other state, territory, possession or country.

(2) Pay the biennial renewal of licensure fee in § 21.5 (relating to fees).

(3) Beginning with the license period commencing on July 12, 2010, verify that the professional nurse has complied with the continuing education requirements mandated by section 12.1 of the act (63 P. S. § 222) during the biennial period immediately preceding the application for renewal in accordance with §§ 21.131—21.134 (relating to continuing education). School nurses, who as certified education specialists are required to obtain continuing professional education under the Public School Code of 1949 (24 P. S. §§ 1-101—27-2702), shall verify by signed statement that the school nurse has complied with the continuing education requirements for certification by the Department of Education.

(4) Disclose any discipline imposed by a state licensing board on any nursing or allied health profession license or certificate in the previous biennial period and any criminal charges pending or criminal conviction, plea of guilty or nolo contendere, or admission into a probation without verdict or accelerated rehabilitative disposition during the previous biennial period unless prior notification has been made under § 21.29a (relating to reporting of crimes and disciplinary action).

(d) When communicating with the Board, licensees shall identify themselves by full name, current address and license number.

**§ 21.29a. Reporting of crimes and disciplinary action.**

(a) A registered nurse shall notify the Board of pending criminal charges within 30 days of the filing of the criminal charges or on the biennial renewal application under § 21.29(c)(4) (relating to expiration and renewal of license), whichever is sooner.

(b) A registered nurse shall notify the Board of a criminal conviction, plea of guilty or nolo contendere, or an admission into a probation without verdict or accelerated rehabilitative disposition program within 30 days of the disposition or on the biennial renewal application under § 21.29(c)(4), whichever is sooner.

(c) A registered nurse shall notify the Board of disciplinary action in the nature of a final order taken against the registered nurse by the licensing authority of another state, territory or country within 90 days of receiving notice of the disciplinary action, or on the biennial renewal application under § 21.29(c)(4), whichever is sooner.

**CONTINUING EDUCATION****§ 21.131. Continuing education.**

(a) *Requirement of continuing education.* A registered nurse seeking licensure renewal shall complete 30 hours

of continuing education approved by the Board during the biennial renewal period immediately preceding the application for renewal in accordance with section 12.1 of the act (63 P. S. § 222) and this subchapter. The Board will not renew a license of a registered nurse who fails to verify compliance with the continuing education requirement. A registered nurse whose license is not renewed by the expiration of the biennial renewal period may not engage in the practice of professional nursing until the continuing education requirements are satisfied and the license has been renewed, reinstated or reactivated.

(b) *Exception.* An applicant applying for initial licensure in this Commonwealth will not be required to meet the continuing education requirement on the first renewal immediately following licensure.

(c) *Board audits; proof of completion.* The Board may perform audits on registered nurses to determine compliance with the continuing education requirements. A registered nurse shall retain documentation of the registered nurse's completion of continuing education for at least 5 years. A registered nurse shall comply with a request for submission of documents verifying the registered nurse's completion of continuing education. The following documents shall be retained and submitted upon request:

(1) For attendance at continuing education programs or courses, the registered nurse shall retain the certificate of attendance provided by the program or course provider.

(2) For academic courses taken from an accredited college or university, the registered nurse shall retain the transcript issued by the educational institution.

(3) For publication of a textbook or article, the registered nurse shall retain a copy of the published item, including the date of publication.

(4) For a research project, the registered nurse shall retain a copy of the research abstract, letter from the institutional review board granting approval for the research project and list of primary and co-investigators.

(5) For school nurses, evidence that the nurse's certification by the Department of Education is current.

(d) *Reinstatement of lapsed license or reactivation of inactive license.* A registered nurse seeking to reinstate a lapsed license or reactivate an inactive license shall file an application for reinstatement or reactivation and submit documentation to demonstrate that the registered nurse completed 30 hours of continuing education within the biennial period immediately preceding application.

(e) *Reinstatement of suspended license.* A registered nurse seeking to reinstate a suspended license shall submit documentation to demonstrate that the registered nurse completed 30 hours of continuing education within the biennial period immediately preceding application for reinstatement.

(f) *Carry over.* Continuing education hours may not be carried over from one biennial renewal period to the next.

(g) *Waiver.* A registered nurse may request a waiver of the continuing education requirement because of serious illness, military service or other demonstrated hardship. The registered nurse shall submit the request and any supporting documentation to the Board in writing at least 90 days prior to the registered nurse's license expiration date unless an emergency or hardship occurs within the 90-day period. The Board will grant, deny or grant in part the request for waiver.

(h) *Disciplinary action authorized.*

(1) Failure to complete a minimum of 30 hours of continuing education in a biennial period in accordance with subsection (a) will subject the registered nurse to discipline under section 13(b) of the act (63 P. S. § 223(b)) in accordance with the schedule of civil penalties in § 43b.18 (relating to schedule of civil penalties—nurses). A second or subsequent violation will subject the registered nurse to discipline under section 14(a)(3) of the act (63 P. S. § 224(a)(3)).

(2) A registered nurse who has not completed a minimum of 30 hours of continuing education shall make up the deficiency within 6 months of receiving notice of the deficiency.

(3) Notwithstanding any civil penalty assessed under paragraph (1), failure to provide the Board with documentation demonstrating the completion of 30 hours of approved continuing education within 6 months after receiving notice of a deficiency will subject the registered nurse to discipline under section 14(a)(3) of the act.

(4) Failure to comply with an audit request for continuing education documentation may subject a registered nurse to additional discipline under section 14(a)(4)(i) of the act.

#### § 21.132. Continuing education hours.

(a) The Board will accept hours of continuing education as designated by an approved provider, so long as each hour is at least 50 minutes of activity and each 1/2 hour is at least 30 minutes of activity.

(b) For purposes of determining acceptable hours of continuing education for academic coursework, the following apply:

(1) One academic trimester course is equivalent to 12 continuing education hours.

(2) One academic quarter course is equivalent to 10 continuing education hours.

(3) One academic semester course is equivalent to 15 continuing education hours.

#### § 21.133. Continuing education content.

(a) Continuing education must be relevant to patient care or professional nursing in a general or specialty area and enhance the knowledge and application of the physical, social, biological and behavioral sciences.

(b) The Board may, for any given biennial license period and with adequate notice to registered nurses, require that up to 4 hours of continuing education be completed in designated topics.

(c) Courses in areas related to the practice of professional nursing such as the following are acceptable:

(1) Human sexuality.

(2) Death, dying and grief.

(3) Foreign language relevant to health care.

(4) Therapeutic interpersonal relationship skills.

(5) Patient rights.

(6) Pharmacology.

(d) Courses in areas impacting the practice of professional nursing, such as nursing administration, management, education, and diagnostic and procedural coding are acceptable.

(e) Group or individual research, as the principal or co-principal investigator, if approved by the institutional

review board of the sponsoring institution, is acceptable and will be credited in the year completed as 15 hours of continuing education.

(f) Nonprofessional course content not directly related to patient care, such as courses in self-improvement, changes in attitude, financial gain, courses designed for lay people, basic life support or cardiopulmonary resuscitation, mandatory annual education on facility specific policies unrelated to the practice of professional nursing (such as facility leave policies) and employment orientation programs are not acceptable for meeting requirements for license renewal.

**§ 21.134. Continuing education sources.**

(a) The following continuing education activities that meet the requirements of § 21.133 (relating to continuing education content) for registered nurses are approved:

(1) Activities sponsored by a Board-approved practical or professional nursing program or a Nationally accredited graduate nursing program.

\* \* \* \* \*

(b) The Board may approve other sources of continuing education on a case-by-case basis after the provider or registered nurse seeking approval submits the following:

\* \* \* \* \*

**Subchapter B. PRACTICAL NURSES  
LICENSURE**

**§ 21.156. Renewal of license.**

(a) Licenses for practical nurses expire on June 30 of each biennium in the even-numbered years.

(b) Notice of the renewal period of a license will be forwarded biennially to each active licensee prior to the expiration date of the current renewal biennium.

(c) The applicant for license renewal may complete and submit an application in a form acceptable to the Board. When applying for licensure renewal, an LPN shall:

(1) Complete and submit the renewal application, including disclosing a license to practice nursing or an allied health profession in another state, territory, possession or country.

(2) Pay the biennial renewal of license fee in § 21.147(b) (relating to fees).

(3) Disclose discipline imposed by a state licensing board in the previous biennial period and criminal charges pending or criminal conviction, plea of guilty or nolo contendere, or admission into a probation without verdict or accelerated rehabilitative disposition program during the previous biennial period, unless prior notification has been made under § 21.156b (relating to reporting of crimes and disciplinary action).

(d) When communicating with the Board, LPNs shall identify themselves by their full name, current address and license number.

**§ 21.156b. Reporting of crimes and disciplinary action.**

(a) An LPN shall notify the Board of pending criminal charges within 30 days of the filing of the criminal charges or on the biennial renewal application under § 21.156 (relating to renewal of license), whichever is sooner.

(b) An LPN shall notify the Board of a criminal conviction, plea of guilty or nolo contendere, or admission into a probation without verdict or accelerated rehabilita-

tive disposition program within 30 days of the disposition or on the biennial renewal application under § 21.156, whichever is sooner.

(c) An LPN shall notify the Board of disciplinary action in the nature of a final order taken against the LPN by the licensing authority of another state, territory or country within 90 days of receiving notice of the disciplinary action or on the biennial renewal application under § 21.156, whichever is sooner.

**Subchapter C. CERTIFIED REGISTERED NURSE  
PRACTITIONERS**

**MAINTENANCE OF CERTIFICATION**

**§ 21.332. Requirement of continuing education.**

(a) A CRNP shall comply with this section and §§ 21.332a—21.337.

(b) Continuing education requirements shall be completed each biennial renewal cycle.

(1) A CRNP who does not meet the continuing education requirements for a biennial period will be subject to formal disciplinary action under section 14(a)(3) of the act (63 P. S. § 244(a)(3)).

(2) The Board may waive the requirements of continuing education in cases of illness or undue hardship. It is the duty of each CRNP who seeks a waiver to notify the Board in writing and request the waiver at least 90 days prior to the end of the renewal period unless an emergency or hardship occurs within the 90-day period. The Board will grant, deny or grant in part the request for waiver.

(3) A CRNP who requests a waiver may not prescribe or dispense drugs after the expiration of his current prescriptive authority until the Board grants the waiver request or the prescriptive authority approval has been renewed.

**Subchapter G. DIETITIAN-NUTRITIONISTS**

**LICENSURE REQUIREMENTS**

**§ 21.723. License renewal.**

(a) A license issued under section 5(e) of the act (63 P. S. § 215(e)) or under this subchapter will be valid from the date of issuance through September 30, 2006, following the issuance of the license. Each subsequent license renewal will be valid for 2 years from October 1 through September 30.

(b) When applying for renewal of licensure, an LDN shall:

(1) Complete the renewal application, including disclosing a license to practice dietetics-nutrition in any other state, territory, possession or country.

(2) Pay the required fee as set forth in § 21.705 (relating to fees).

(3) Submit proof to the Board that the LDN has satisfactorily completed a minimum of 30 hours of CPE approved by the Board in accordance with § 21.724 (relating to continuing education) during the 2 calendar years immediately preceding the application for renewal.



(4) Disclose any discipline imposed by a state licensing board in the previous biennial period or any criminal charges pending or criminal conviction, plea of guilty or nolo contendere, or admission into a probation without verdict or accelerated rehabilitative disposition program during the previous biennial period unless prior notification has been made under § 21.723a (relating to reporting of crimes and disciplinary action).

**§ 21.723a. Reporting of crimes and disciplinary action.**

(a) An LDN shall notify the Board of pending criminal charges within 30 days of the filing of the criminal charges or on the biennial renewal application under § 21.723 (relating to license renewal), whichever is sooner.

(b) An LDN shall notify the Board of a criminal conviction, plea of guilty or nolo contendere, or admission into a probation without verdict or accelerated rehabilitative disposition program within 30 days of the disposition or on the biennial renewal application under § 21.723, whichever is sooner.

(c) An LDN shall notify the Board of disciplinary action in the nature of a final order taken against the LDN's license by the licensing authority of another state, territory or country within 90 days of receiving notice of the disciplinary action or on the biennial renewal application under § 21.723, whichever is sooner.

[Pa.B. Doc. No. 15-1827. Filed for public inspection October 16, 2015, 9:00 a.m.]

# PROPOSED RULEMAKING

## SUSQUEHANNA RIVER BASIN COMMISSION

[ 25 PA. CODE CH. 806 ]

### Review and Approval of Projects

*Summary:* This document contains proposed rules that would amend the regulations of the Susquehanna River Basin Commission (Commission) to simplify and clarify the process for transferring approvals and to add sections dealing with general permits and modifications to approvals. These rules are designed to improve the Commission's administrative processes and add regulatory clarity.

*Dates:* Comments on the proposed rulemaking may be submitted to the Commission on or before November 9, 2015. The Commission has scheduled a public hearing on the proposed rulemaking, to be held October 29, 2015, in Grantville, Pennsylvania. The location of the public hearing is listed in the Addresses section of this document.

*Addresses:* Comments may be mailed to: Jason E. Oyler, Esq., General Counsel, Susquehanna River Basin Commission, 4423 N. Front Street, Harrisburg, PA 17110-1788, or by e-mail to [regcomments@srbc.net](mailto:regcomments@srbc.net).

The public hearing will be held on October 29, 2015, at 7:00 p.m., at the East Hanover Township Municipal Building, Main Hall, 8848 Jonestown Road, Grantville, PA. Those wishing to testify are asked to notify the Commission in advance, if possible, at the regular or electronic addresses given below.

*For Further Information Contact:* Jason E. Oyler, Esq., General Counsel, telephone: 717-238-0423, ext. 1312; fax: 717-238-2436; e-mail: [joyler@srbc.net](mailto:joyler@srbc.net). Also, for further information on the proposed rulemaking, visit the Commission's website at [www.srbc.net](http://www.srbc.net).

*Supplementary Information:* The Commission is proposing to make regulatory changes to improve its administrative processes and add regulatory clarity. The major focus of these changes is to revise and simplify the Commission's transfer regulation, explicitly add provisions for the modification of a Commission approved project, and establish a process for the Commission to develop general permits.

1. **18 CFR 806.6. Transfer of approvals.** The Commission proposes to delete the current section and replace it with simplified and easier to understand regulatory language. This revision still allows the Executive Director to approve transfers of approvals. For approvals greater than 10 years old, the current regulation requires the project sponsor to submit entirely new applications in order to transfer the project. The Commission has received complaints that this requirement is onerous and has the effect of cutting short the term of the approval solely because ownership is changing, despite no changes to the project itself or the use of the water. The revised language will allow the transfer to occur conditioned on the submission of an updated metering and monitoring plan consistent with 18 CFR 806.30. For projects undergoing a change of ownership that have an unapproved withdrawal, consumptive use and/or diversion associated with them, usually referred to as grandfathered aspects of the project, the current requirement to submit applications for these grandfathered aspects contained in 18 CFR 806.6(c) and 18 CFR 806.4(a)(1)(iv), (a)(2)(v) and

(a)(3)(iv) is retained. However, the revised language removes the requirement that these applications must be made within 90 days of the date of a change in ownership. The Commission found that it was difficult for project sponsors to meet this deadline. The revised language will allow the Executive Director to approve the transfer with a condition requiring these applications to be made. This will allow the Commission to consider the complexity and number of grandfathered sources that will be subject to the application requirements and establish an appropriate and realistic timeframe in the condition for these applications to be submitted. Due to the revision of the language in 18 CFR 806.6, a corresponding revision was required to 18 CFR 806.4(c).

2. **18 CFR 806.15. Notice of Application.** In paragraph (a), the Commission proposes to amend the time for notices to be published from 10 days to 20 days. The Commission has received feedback that the 10 days is not always sufficient, especially when newspaper notices are required. Extending this time frame allows project sponsors more time to complete the notices without compromising the public's opportunity to provide comment. New paragraphs (h) and (i) were added to provide specific requirements for the newly proposed 18 CFR 806.17 (regarding general permits) and 18 CFR 806.18 (regarding minor modifications), respectively.

3. **New 18 CFR 806.17. General Permits.** Currently, the Commission does not have a process to establish general permits. The Commission is proposing a new section that would provide the Commission the ability to develop, issue and administer general permits. The new regulation provides procedures for issuance and administration of permits, as well as standards for denial of coverage and when an individual approval would be required. In crafting this regulation, the Commission looked to similar regulations of its member jurisdictions for guidance. In addition, changes to 18 CFR 806.4 and 806.14 were necessary to accommodate the addition of this new section.

4. **New 18 CFR 806.18. Approval modifications.** The Commission is proposing to add a section specific to modifications of approvals. The Commission currently accepts applications for modification, but does not have a clear process set forth in the regulations. The proposed section also establishes the concept of minor and major modifications. The process for minor modifications provides a process for minor changes to approval conditions that are more likely to be administrative in nature and have a low degree of controversy, and therefore can appropriately be authorized by the Executive Director. In addition, a change to 18 CFR 806.14 is necessary to provide specific application requirements for minor modifications. Minor modifications are specifically listed. All modifications that are not specifically listed as a minor modification are major modifications. As a part of the rulemaking, the Commission has included a non-exhaustive list of common major modifications to provide guidance to the public and the regulated community.

### List of Subjects in 18 CFR Part 806

Administrative practice and procedure, Water resources.

Accordingly, for the reasons set forth in the preamble, the Susquehanna River Basin Commission proposes to amend 18 CFR Part 806 as follows:

## PART 806—REVIEW AND APPROVAL OF PROJECTS

1. The authority citation for Part 806 continues to read as follows:

*Authority:* Secs. 3.4, 3.5(5), 3.8, 3.10 and 15.2, Pub. L. 91-575, 84 Stat. 1509 et seq.

2. Amend § 806.4 by adding paragraph (a)(9) and revising paragraph (c) to read as follows:

### § 806.4 Projects requiring review and approval.

(a) \* \* \*

(9) Any project subject to coverage under a general permit issued under § 806.17.

\* \* \* \* \*

(c) Any project that did not require Commission approval prior to January 1, 2007, and not otherwise exempt from the requirements of paragraph (a)(1)(iv), (a)(2)(v), or (a)(3)(iv) pursuant to paragraph (b) of this section, may be undertaken by a new project sponsor upon a change of ownership pending action on a transfer application under § 806.6.

3. Revise § 806.6 to read as follows:

### § 806.6 Transfer of approvals.

(a) An existing Commission approval may be transferred to a new project sponsor by the Executive Director provided:

(1) The application for transfer is submitted within 90 days of a transfer or change in ownership of a project.

(2) The new project sponsor operates the project subject to the same terms and conditions of the existing approval pending approval of the transfer application.

(3) Any noncompliance by the existing project sponsor associated with the project or by the new project sponsor associated with other projects is resolved to the Commission's satisfaction.

(4) If the existing approval is greater than 10 years old, the transfer shall be conditioned to require the submission of an updated metering and monitoring plan consistent with the requirements of § 806.30.

(5) If the existing project has an unapproved withdrawal, consumptive use and/or diversion listed in paragraph (b), the transfer shall be conditioned to require the submission of a new application for review and approval of the unapproved withdrawal, consumptive use and/or diversion consistent with §§ 806.4 and 806.14.

(6) Any modifications proposed by the new project sponsor shall be subject to a separate application and review process under §§ 806.14. and 806.18.

(b) Previously unapproved activities associated with a project subject to transfer under paragraph (a) of this section include:

(1) The project has an associated pre-compact consumptive water use that has not been subject to approval or had mitigation approved by the Commission.

(2) The project has an associated diversion that was initiated prior to January 23, 1971.

(3) The project has an associated groundwater withdrawal that was initiated prior to July 13, 1978 and that has not been approved by the Commission.

(4) The project has an associated surface water withdrawal that was initiated prior to November 11, 1995 and that has not been approved by the Commission.

(5) The project has a consumptive water use approval and has an associated withdrawal that has not been approved by the Commission.

(c) Upon undergoing a change of name that does not affect ownership or control of the project, the project sponsor must request a reissuance of the project's approval by the Executive Director within 90 days from the date of the change.

4. Amend § 806.14 by revising paragraph (a) introductory text and adding paragraph (d) to read as follows:

### § 806.14 Contents of applications.

(a) Except with respect to applications to renew an existing Commission approval and Notices of Intent for approvals by rule and general permits, applications shall include, but not be limited to, the following information and, where applicable, shall be submitted on forms and in the manner prescribed by the Commission. Renewal applications shall include such information that the Commission determines to be necessary for the review of same, shall be subject to the standards set forth in Subpart C—Standards for Review and Approval of this part, and shall likewise be submitted on forms and in the manner prescribed by the Commission.

\* \* \* \* \*

(d) Applications for minor modifications must be complete and will be on a form and in a manner prescribed by the Commission. Applications for minor modifications must contain the following:

(1) Description of the project;

(2) Description of all sources, consumptive uses and diversions related to the project;

(3) Description of the requested modification;

(4) Statement of the need for the requested modification;

(5) Demonstration that the anticipated impact of the requested modification will not adversely impact the water resources of the basin; and

(6) Any other information that the Commission or Executive Director deems necessary.

5. Amend § 806.15 by revising paragraph (a) and adding paragraphs (h) and (i) to read as follows:

### § 806.15 Notice of application.

(a) Any project sponsor submitting an application to the Commission shall provide notice thereof to the appropriate agency of the member State, each municipality in which the project is located, and the county planning agency of each county in which the project is located. The project sponsor shall also publish notice of submission of the application at least once in a newspaper of general circulation serving the area in which the project is located. The project sponsor shall also meet any of the notice requirements set forth in paragraphs (b) through (f) of this section, if applicable. All notices required under this section shall be provided or published no later than 20 days after submission of the application to the Commission and shall contain a description of the project, its purpose, the requested quantity of water to be withdrawn obtained from for sources other than withdrawals or consumptively used, and the address, electronic mail address, and phone number of the project sponsor and the Commission. All such notices shall be in a form and manner as prescribed by the Commission.

\* \* \* \* \*

(h) For Notices of Intent (NOI) seeking coverage under a general permit, the project sponsor shall provide the NOI to the appropriate agency of the member State and each municipality and county planning agency in which the project is located and any additional notice identified in the general permit.

(i) For applications for minor modifications, the project sponsor shall provide notice of the application to the appropriate agency of the member State and each municipality and county planning agency in which the project is located.

6. Add § 806.17 to read as follows:

#### § 806.17 General permits.

(a) *Coverage and purpose.* The Commission may issue a general permit, in lieu of issuing individual approvals, for a specifically described category of diversions, water withdrawals and consumptive uses that:

(1) Involve the same or substantially similar types of operations or activities,

(2) Require the same limitations or operating conditions, or both,

(3) Require the same or similar monitoring and reporting, and

(4) Will result in minimal adverse impacts.

(b) *Procedure for issuance.* (1) At least 30 days prior to the issuance of a general permit, the Commission shall publish notice in the *Federal Register* and the member jurisdiction administrative bulletins of the intent to issue a general permit.

(2) At least 30 days shall be provided for interested members of the public and Federal, State and local agencies to provide written comments on a proposed general permit.

(3) The Commission or Executive Director may, in its discretion, hold a public hearing on a proposed general permit.

(4) The issuance of a general permit adopted by the Commission will be published in the *Federal Register* and the member jurisdiction administrative bulletins. This notice shall set forth the effective date of the general permit.

(c) *Administration of general permits.* General permits may be issued, amended, suspended, revoked, reissued or terminated under this section.

(1) Any general permit issued under this section shall set forth the applicability of the permit and the conditions that apply to any diversion, withdrawal or consumptive use authorized by such general permit.

(2) The Commission may fix a term to any general permit issued.

(3) A project sponsor shall obtain permission to divert, withdraw or consumptively use water in accordance with a general permit by filing a Notice of Intent (NOI) with the Commission, in a form and manner determined by the Commission.

(4) Approval of coverage under a general permit shall be determined by the Executive Director or by any other manner that the Commission shall establish for any general permit.

(5) The Commission may set a fee for NOIs to any general permit.

(6) A project sponsor shall provide notice for NOIs in accordance with § 806.15(h) and any additional notice requirements that the Commission may adopt for any general permit.

(7) The requirements of § 806.16 apply to the review of NOIs to any general permit.

(8) Upon reissuance or amendment of a general permit, all project sponsors permitted to divert, withdraw or consumptively use water in accordance with the previous general permit shall be permitted to continue to operate with the renewed or modified general permit unless otherwise notified by the Commission.

(d) *Denial of coverage.* The Executive Director will deny or revoke coverage under a general permit when one or more of the following conditions exist:

(1) The project or project sponsor does not or can no longer meet the criteria for coverage under a general permit.

(2) The diversion, withdrawal or consumptive use, individually or in combination with other similar Commission regulated activities, is causing or has the potential to cause adverse impacts to water resources or competing water users.

(3) The project does not meet the requirements of § 806.21(a) or (b).

(4) The project includes other diversions, withdrawals or consumptive uses that require an individual approval and the issuance of both an individual approval and a general permit for the project would constitute an undue administrative burden on the Commission.

(5) The Executive Director determines that a project cannot be effectively regulated under a general permit and is more effectively regulated under an individual approval.

(e) *Requiring an individual approval.* If coverage is denied or revoked under paragraph (d) of this section, the project sponsor shall be notified in writing. The notice will include a brief statement for the reasons for the decision. If coverage under a general permit was previously granted, the notice will also include a deadline for submission of an application for an individual approval. Timely submission of a complete application will result in continuation of coverage of the applicable withdrawal, consumptive use or diversion under the general permit, until the Commission takes final action on the pending individual approval application.

(f) *Action of the commission.* Action by the Executive Director denying or revoking coverage under a general permit under paragraph (d) of this section, or requiring an individual approval under paragraph (e) of this section, is not a final action of the Commission until the project sponsor submits and the Commission takes final action on an individual approval application.

7. Add § 806.18 to read as follows:

#### § 806.18 Approval modifications.

(a) *General.* A project sponsor shall submit an application for modification of a current approval prior to making a change in the design, operational plans, or use as presented in the application upon which the approval was originally issued, and that will affect the terms and conditions of the current approval.

(b) *Applications for modification.* (1) A project sponsor may apply for a modification of a current approval by submitting an application for modification to the Commission.



(c) *Minor modifications.* The following are considered minor modifications:

- (1) Correction of typographical errors;
  - (2) Changes to monitoring or metering conditions;
  - (3) Addition of sources of water for consumptive use;
  - (4) Changes to the authorized water uses;
  - (5) Changes to conditions setting a schedule for developing, implementing, and/or reporting on monitoring, data collection and analyses;
  - (6) Changes to the design of intakes;
  - (7) Increases to total system limits that were established based on the projected demand of the project; and
  - (8) Modify approval to allow the modification of extraction well network used for groundwater remediation systems.
- (d) *Major modifications.* Major modifications are changes not considered to be minor modifications. Major modifications may include, but are not limited to:
- (1) Increases in the quantity of water withdrawals, consumptive uses or diversions;
  - (2) Increases to peak day consumptive water use;
  - (3) Increases to the instantaneous withdrawal rate or changes from a single withdrawal rate to a varied withdrawal rate;
  - (4) Changes affecting passby flows requirements; and

(5) Changes that have the potential for adverse impacts to water resources or competing water users.

(e) *Notice and approval.* (1) Applications for modifications are subject to the notice requirements of § 806.15.

(2) The Commission or Executive Director may approve, approve with conditions or deny an application for minor modification, or direct that an application for major modification be made.

(3) The Commission may approve, approve with conditions or deny an application for major modification.

*Dated:* September 17, 2015.

ANDREW D. DEHOFF,  
*Executive Director*

**Fiscal Note:** 72-12. No fiscal impact (8) recommends adoption.

#### **Annex A**

### **TITLE 25. ENVIRONMENTAL PROTECTION PART IV. SUSQUEHANNA RIVER BASIN COMMISSION**

#### **CHAPTER 806. REVIEW AND APPROVAL OF PROJECTS**

##### **§ 806.1. Incorporation by reference.**

The regulations and procedures for review of projects as set forth in 18 CFR Part 806 (2015) (relating to review and approval of projects) are incorporated by reference and made part of this title.

[Pa.B. Doc. No. 15-1828. Filed for public inspection October 16, 2015, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### Reorganization of the Department of Labor and Industry

The Executive Board approved a reorganization of the Department of Labor and Industry effective September 29, 2015.

The organization charts at 45 Pa.B. 6207 (October 17, 2015) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor's Note:* The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)

[Pa.B. Doc. No. 15-1829. Filed for public inspection October 16, 2015, 9:00 a.m.]

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### Reorganization of the Liquor Control Board

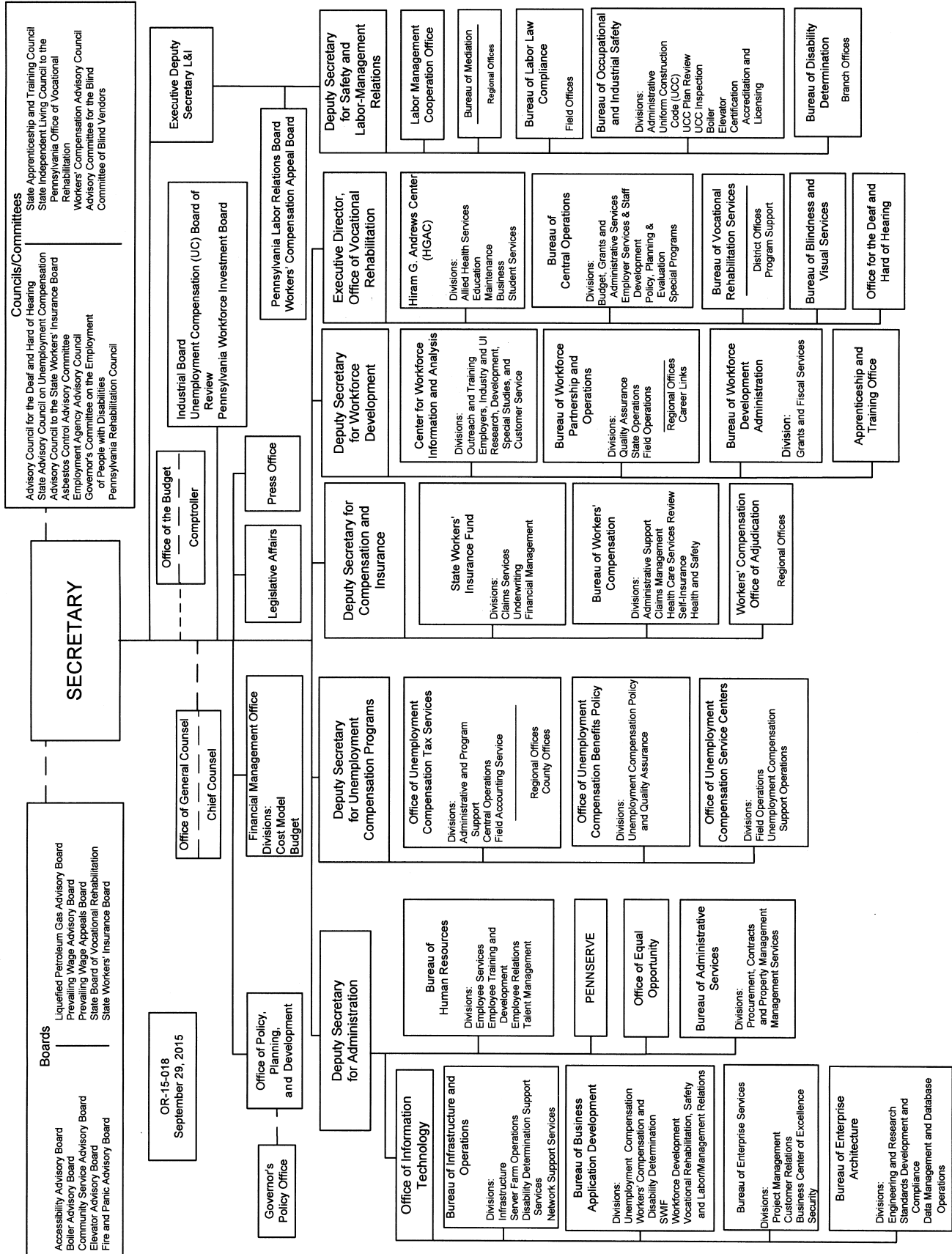
The Executive Board approved a reorganization of the Liquor Control Board effective September 29, 2015.

The organization charts at 45 Pa.B. 6208 (October 17, 2015) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor's Note:* The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)

[Pa.B. Doc. No. 15-1830. Filed for public inspection October 16, 2015, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

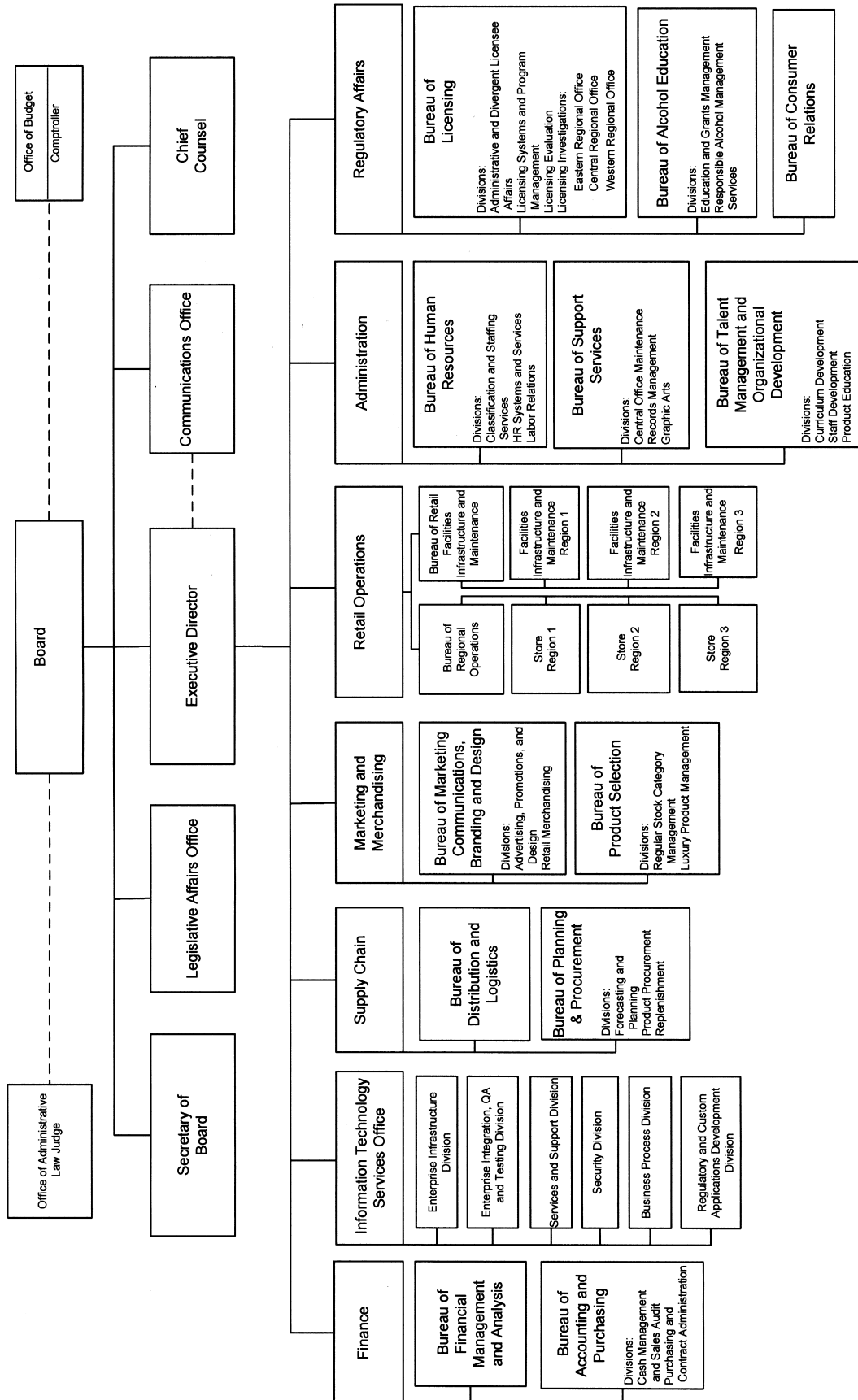




# Liquor Control Board

OR-15-017

September 29, 2015



# NOTICES

## DEPARTMENT OF AGRICULTURE

### Addendum to the Order of Quarantine; Spotted Lanternfly

#### Recitals

A. Spotted lanternfly, *Lycorma delicatula*, is a new pest to the United States and has been detected in the Commonwealth. This is a dangerous insect to forests, ornamental trees, orchards and grapes and not widely prevalent or distributed within or throughout the Commonwealth or the United States. Spotted lanternfly has been detected in the Commonwealth and has the potential to spread to uninfested areas by natural means or through the movement of infested articles.

B. The Plant Pest Act (Act) (3 P. S. §§ 258.1—258.27) empowers The Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests. A plant pest is defined as an organism, including other plants, causing or capable of causing injury or damage to plants or plant products (3 P. S. § 258.2). These powers include the authority, set forth at section 258.21 of the Act (3 P. S. § 258.21), to establish quarantines to prevent the spread of plant pests within this Commonwealth.

C. Under the authority of section 258.20 of the Act (3 P. S. § 258.20) the Department may declare a pest to be a public nuisance when the Department determines a plant pest to be dangerous or destructive to the agriculture, horticulture or forests of this Commonwealth. For the reasons set forth in Paragraph A above, the Department declares Spotted lanternfly, *Lycorma delicatula*, to be a public nuisance.

D. Consistent with the Order of Quarantine published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, where the Department detects or confirms any of the plant pests established in this Order of Quarantine—Spotted lanternfly, *Lycorma delicatula*—the place or area in which any of these plant pests are detected or confirmed shall be subject to the provisions of that Order of Quarantine published at 44 Pa.B. 6947 issued Saturday, November 1, 2014.

E. The place or area in which the plant pest is detected or confirmed shall be added to the Order of Quarantine, published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, through an addendum delineating the specific location and geographic parameters of the area or place. Such Addendum shall be published in the *Pennsylvania Bulletin* and enforcement of the Addendum to the Order of Quarantine, published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, with regard to that place or area shall become effective immediately.

#### Order

Under authority of section 21 of the act (3 P. S. § 258.21), and with the Recitals previously listed incorporated into and made a part hereof this Addendum to the Order of Quarantine published at 44 Pa.B. 6947 issued Saturday, November 1, 2014 by reference, the Department orders the following:

#### 1. Establishment of Quarantine.

A quarantine is hereby established with respect to Oley Township, Berks County. This is in addition to, and does not replace, any townships and areas already subject to the Spotted Lanternfly Quarantine Order published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, and any previous Addendums to that Quarantine Order.

#### 2. All Provisions Apply.

All of the provisions established in the Spotted Lanternfly Quarantine Order published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, are hereby incorporated herein and made a part hereof this Addendum as if fully set forth herein and shall hereby be made applicable to Oley Township, Berks County.

RUSSELL C. REDDING,  
Secretary

[Pa.B. Doc. No. 15-1831. Filed for public inspection October 16, 2015, 9:00 a.m.]

### Addendum to the Order of Quarantine; Spotted Lanternfly

#### Recitals

A. Spotted lanternfly, *Lycorma delicatula*, is a new pest to the United States and has been detected in the Commonwealth. This is a dangerous insect to forests, ornamental trees, orchards and grapes and not widely prevalent or distributed within or throughout the Commonwealth or the United States. Spotted lanternfly has been detected in the Commonwealth and has the potential to spread to uninfested areas by natural means or through the movement of infested articles.

B. The Plant Pest Act (Act) (3 P. S. §§ 258.1—258.27) empowers The Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests. A plant pest is defined as an organism, including other plants, causing or capable of causing injury or damage to plants or plant products (3 P. S. § 258.2). These powers include the authority, set forth at section 258.21 of the Act (3 P. S. § 258.21), to establish quarantines to prevent the spread of plant pests within this Commonwealth.

C. Under the authority of section 258.20 of the Act (3 P. S. § 258.20) the Department may declare a pest to be a public nuisance when the Department determines a plant pest to be dangerous or destructive to the agriculture, horticulture or forests of this Commonwealth. For the reasons set forth in Paragraph A above, the Department declares Spotted lanternfly, *Lycorma delicatula*, to be a public nuisance.

D. Consistent with the Order of Quarantine published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, where the Department detects or confirms any of the plant pests established in this Order of Quarantine—Spotted lanternfly, *Lycorma delicatula*—the place or area in which any of these plant pests are detected or confirmed shall be subject to the provisions of that Order of Quarantine published at 44 Pa.B. 6947 issued Saturday, November 1, 2014.

E. The place or area in which the plant pest is detected or confirmed shall be added to the Order of Quarantine,

published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, through an addendum delineating the specific location and geographic parameters of the area or place. Such Addendum shall be published in the *Pennsylvania Bulletin* and enforcement of the Addendum to the Order of Quarantine, published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, with regard to that place or area shall become effective immediately.

#### Order

Under authority of section 21 of the act (3 P.S. § 258.21), and with the Recitals previously listed incorporated into and made a part hereof this Addendum to the Order of Quarantine published at 44 Pa.B. 6947 issued Saturday, November 1, 2014 by reference, the Department orders the following:

##### 1. *Establishment of Quarantine.*

A quarantine is hereby established with respect to Upper Hanover Township including the boroughs of East Greenville, Pennsburg, and Red Hill, Montgomery

County. This is in addition to, and does not replace, any townships and areas already subject to the Spotted Lanternfly Quarantine Order published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, and any previous Addendums to that Quarantine Order.

##### 2. *All Provisions Apply.*

All of the provisions established in the Spotted Lanternfly Quarantine Order published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, are hereby incorporated herein and made a part hereof this Addendum as if fully set forth herein and shall hereby be made applicable to Upper Hanover Township including the boroughs of East Greenville, Pennsburg, and Red Hill, Montgomery County.

RUSSELL C. REDDING,  
Secretary

[Pa.B. Doc. No. 15-1832. Filed for public inspection October 16, 2015, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending October 6, 2015.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

### BANKING INSTITUTIONS

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-30-2015	Juniata Valley Financial Corporation Mifflintown Juniata County	Approved
	Application for approval to acquire 100% of FNBPA Bancorp, Inc., Port Allegany, and thereby indirectly acquire 100% of The First National Bank of Port Allegany, Port Allegany.	

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-30-2015	The Juniata Valley Bank Mifflintown Juniata County	Approved
	Application for approval to merge The First National Bank of Port Allegany, Port Allegany, with and into The Juniata Valley Bank, Mifflintown.	
10-1-2015	First Commonwealth Bank Indiana Indiana County	Effective
	Merger of First Community Bank, Columbus, OH, with and into First Commonwealth Bank, Indiana, PA.	

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
	As a result of the merger, the following branch offices of First Community Bank became branch offices of First Commonwealth Bank:	
	4300 East Broad Street Whitehall Franklin County	2121 Bethel Road Columbus Franklin County
	647 North High Street Columbus Franklin County	13750 Main Street Midway Madison County

**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-2-2015	Meridian Bank Malvern Chester County	653 Skippack Blue Bell Montgomery County	Filed
10-5-2015	Kish Bank State College Centre County	114 South Allen Street State College Centre County	Filed

**CREDIT UNIONS**

No activity.

The Department's web site at [www.dobs.pa.gov](http://www.dobs.pa.gov) includes public notices for more recently filed applications.

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 15-1833. Filed for public inspection October 16, 2015, 9:00 a.m.]

**Maximum Lawful Rate of Interest for Residential Mortgages for the Month of November 2015**

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of November, 2015, is 5%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 96-221). Further preemption was instituted with the signing of Pub. L. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which such individual owns and which such individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 2.58 to which was added 2.50 percentage points for a total of 5.08 that by law is rounded off to the nearest quarter at 5%.

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 15-1834. Filed for public inspection October 16, 2015, 9:00 a.m.]

**DEPARTMENT OF  
CONSERVATION AND  
NATURAL RESOURCES****Snowmobile and ATV Advisory Committee Meeting**

A meeting of the Snowmobile and ATV Advisory Committee to the Department of Conservation and Natural Resources (Department) will be held on Friday, October 23, 2015. The meeting will be held at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Jennie Shade at (717) 787-9306. Those wishing to participate during the public comment section are encouraged to submit their comments in writing to Jennie Shade, Advisor, Snowmobile and ATV Advisory Committee, 400 Market Street, Harrisburg, PA 17101.

Persons in need of accommodations as provided for the in the Americans with Disabilities Act of 1990 should contact Barb Goodling directly at (717) 787-9306 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY ADAMS DUNN,  
*Secretary*

[Pa.B. Doc. No. 15-1835. Filed for public inspection October 16, 2015, 9:00 a.m.]



# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

#### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

Persons with a disability who require an auxiliary aid, service, including TDD users, or other accommodations to seek additional information should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

#### I. NPDES Renewal Applications

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063312 (Sewage)	Girardville Area Municipal Authority Sewage Treatment Plant (STP) 99 Julia Street Girardville, PA 17935	Schuylkill County Butler Township	Mahanoy Creek (6-B)	Y

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0246580— CAFO	Mercer Vu Farms, Inc. 12275 Mount Pleasant Road Mercersburg, PA 17236	Franklin/ Montgomery Township	13-C/ Conococheague Creek	Y
PA0261521— CAFO	Wingert Farms 5497 Shade Lane Alexandria, PA 16611	Huntingdon/ Porter Township	11-A/Frankstown Branch Juniata River	Y

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
Sewage Renewal	Eldred Borough STP Service Plant Road Eldred, PA 16731	Eldred Borough McKean County	Allegheny River Watershed 16-C	Y

## II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone: 412.442.4000.*

**PA0004472, Amendment No. 3**, Industrial Waste, SIC Code 3312, **US Steel Corp**, 400 State Street, Clairton, PA 15025-1855. Facility Name: US Steel Clairton Plant. This existing facility is located in Clairton City, **Allegheny County**.

Description of Existing Activity: Amendment of an NPDES permit for existing discharges from a cokemaking facility.

The receiving stream(s), Monongahela River and Peters Creek, are located in State Water Plan watershed 19-C and are variously classified for Trout Stocking and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 023 are based on a design flow of 14.13 MGD. Heat rejection rate limits at this outfall are aggregate, facility-wide limits for heated discharges from Outfalls 023, 028, 029, 038, 081 and 084.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Heat Rejection Rate (MBTUs/day)						
Jan 1-31	XXX	9,708	XXX	XXX	XXX	XXX
Feb 1-29	XXX	10,392	XXX	XXX	XXX	XXX
Mar 1-31	XXX	16,232	XXX	XXX	XXX	XXX
Apr 1-15	XXX	14,421	XXX	XXX	XXX	XXX
Apr 16-30	XXX	13,801	XXX	XXX	XXX	XXX
May 1-15	XXX	11,353	XXX	XXX	XXX	XXX
May 16-31	XXX	12,707	XXX	XXX	XXX	XXX
Jun 1-15	XXX	10,835	XXX	XXX	XXX	XXX
Jun 16-30	XXX	12,947	XXX	XXX	XXX	XXX
Jul 1-31	XXX	11,047	XXX	XXX	XXX	XXX
Aug 1-15	XXX	12,168	XXX	XXX	XXX	XXX
Aug 16-31	XXX	13,760	XXX	XXX	XXX	XXX
Sep 1-15	XXX	13,085	XXX	XXX	XXX	XXX
Sep 16-30	XXX	14,156	XXX	XXX	XXX	XXX
Oct 1-15	XXX	13,958	XXX	XXX	XXX	XXX
Oct 16-31	XXX	13,453	XXX	XXX	XXX	XXX
Nov 1-15	XXX	13,020	XXX	XXX	XXX	XXX
Nov 16-30	XXX	12,373	XXX	XXX	XXX	XXX
Dec 1-31	XXX	14,817	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 028 are based on a design flow of 1.09 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Heat Rejection Rate (MBTUs/day)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 029 are based on a design flow of 0.89 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Heat Rejection Rate (MBTUs/day)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 038 are based on a design flow of 84.8 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.25
Heat Rejection Rate (MBTUs/day)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 081 are based on a design flow of 23.3 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Heat Rejection Rate (MBTUs/day)	XXX	Report	XXX	XXX	XXX	XXX
Benzo(a)Pyrene	XXX	XXX	XXX	0.003	XXX	0.0075

The proposed effluent limits for Outfall 084 are based on a design flow of 1.54 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Heat Rejection Rate (MBTUs/day)	XXX	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	Report

The proposed effluent limits for Outfall 090 are based on a design flow of 0.04 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	75
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Hexavalent Chromium	XXX	XXX	XXX	XXX	XXX	Report
Benzene	XXX	XXX	XXX	0.001	XXX	0.0025
Naphthalene	XXX	XXX	XXX	0.3	XXX	0.75

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is not in effect.

### III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**WQM Permit No. 4015401**, Sewage, **PA Department of Correction—Dallas SCI**, 1000 Folies Road, Dallas, PA 18612.

This proposed facility is located in Jackson Township, **Luzerne County**.

Description of Proposed Action/Activity: Enhancements to the Sludge Processing System of an existing Waste Water Treatment Plant.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**WQM Permit No. 2115201**, CAFO, **William Wingert**, Wingert Farms Dairy, 5497 Shade Lane, Alexandria, PA 16611.

This proposed facility is located in Porter Township, **Huntingdon County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of circular concrete manure storage tank to serve Wingert Dairy located at 7938 Juniata Valley Pike Road, Alexandria, PA 16611.



**WQM Permit No. 3111202, Amendment No. 1, CAFO, Evergreen Farms, Inc.,** 3102 Evergreen Lane, Spruce Creek, PA 16683.

This proposed facility is located in Franklin Township, **Huntingdon County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a Main Dairy Reception Pit at Evergreen Farms.

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Dr., Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

**WQM Permit No. 1115410, Sewage, Johnstown Redevelopment Authority,** 401 Washington Street, Johnstown, PA 15901.

This proposed facility is located in City of Johnstown, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of existing sanitary sewer interceptor relocation for PA DOT Bridge Replacement Project at SR 0056 Section 27B at St Clair Run in the City of Johnstown.

**WQM Permit No. 1115403, Sewage, Southmont Borough,** 148 Wonder Street, Johnstown, PA 15905.

This proposed facility is located in Southmont Borough, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of Sanitary Sewer Replacement Project—Phase I in Southmont Borough.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a potential funding source.

**WQM Permit No. 0215405, Sewage, Pleasant Hills Authority Allegheny County,** 610 Old Clairton Rd, Pittsburgh, PA 15236.

This proposed facility is located in Pleasant Hills Borough, **Allegheny County**.

Description of Proposed Action/Activity: Installation of a 0.50 MG wet weather equalization tank with a dewatering lift station, control building, gravity sanitary sewer tank influent line, tank dewatering forcemain, storm sewers, grading, E&S controls and restoration adjacent to SR 0051.

**WQM Permit No. 0215406, Sewage, Baldwin Borough,** 3344 Churchview Ave., Pittsburgh, PA 15227.

This proposed facility is located in Baldwin Borough, **Allegheny County**.

Description of Proposed Action/Activity: Construction of a 1.2 million gallon wet weather storage tank, 11 mgd wet weather lift station, sanitary sewer installation, approximately 8,000 linear feet of sanitary sewer replacement, and erosion and sedimentation control BMPs.

**WQM Permit No. 0415401, Sewage, 700 Harmony Fisher Avenue,** Ellwood City, PA 16117.

This proposed facility is located in Franklin Township, **Beaver County**.

Description of Proposed Action/Activity: 74 sewer residential/commercial sewer connections and new small pump station.

## **VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities**

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Northampton County Conservation District, 14 Gracedale Avenue, Greystone Bldg., Nazareth, PA 18064-9211*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024815012	Frank Alexander Anthony Builders 434 Clearfield Street Freemansburg, PA 18107	Northampton	Plainfield Township	Little Bushkill Creek (HQ-CWF, MF)
PAI024815008	Gartner Homes Joe Gartner 395 Center Hill Road Upper Black Eddy, PA 18972	Northampton	Lower Saucon Township	UNT to Saucon Creek (CWF, MF) EV Wetlands

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315*

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI055615006	Jenner Area Joint Sewer Authority 102 Saylor Street Jennerstown, PA 15547	Somerset County	Jenner Township	Spruce Run (HQ-CWF)

## PUBLIC WATER SUPPLY (PWS) PERMITS

Under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### SAFE DRINKING WATER

#### Applications Received Under the Pennsylvania Safe Drinking Water Act

*Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**Permit No. 0215527, Public Water Supply.**

Applicant	<b>Water Authority</b> 200 Pearl Avenue Cheswick, PA 15024
[Township or Borough]	Harmar Township
Responsible Official	Roy V. Noll, Chairman Harmar Water Authority 200 Pearl Avenue Cheswick, PA 15024
Type of Facility	Water system
Consulting Engineer	Gannett Fleming, Inc. 554 South Erie Street Mercer, PA 16137
Application Received Date	September 16, 2015
Description of Action	Adding a high service pump at the water treatment plant, replacing the ozone system, chemical replacement and replacing the existing Harmarville water storage tank.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

#### Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907)

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**J. Walter Miller Company**, 226 North Ann Street, City of Lancaster, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of J. Walter Miller Company, 411 East Chestnut Street, Lancaster, PA 17602, submitted a Notice of Intent to Remediate site soils contaminated with iron from historical use as a bronze and brass casting facility. The site will remain industrial and will be remediated to the Site Specific Standard. The Notice of Intent to Remediate was published in the *LNP* on September 21, 2015.

**Elm Street Business Center**, 1217-1221 Elm Street, City of York, **York County**. Independence Environmental Consulting, LLC, 1750 Kaylor Road, Hummelstown, PA 17036, on behalf of MRWD LLC & WAAP LP, PO Box 20249, York, PA 17402, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with TCE from historical use as Dalco Industries. The site will be remediated to the Site Specific Standard. Future use of the site remains commercial and industrial. The Notice of Intent to Remediate was published in *The York Dispatch/York Daily Record* on September 18, 2015.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**Mainland** (site of former gas/auto service station) 641 Main Street, City of Johnstown, **Cambria County**. Tetra Tech, Inc., 661 Anderson Drive, Foster Plaza 7, Pittsburgh, PA 15220 on behalf of Mainland DG Johnstown I, LLC, 118, 16th Avenue South, Suite 230, Nashville, TN 37203 has submitted a Notice of Intent to Remediate to meet the Site Specific standard concerning site soils and groundwater contaminated with volatile organic compounds & metals. Future use of the property is nonresidential. Notice of the NIR was published in the *Tribune-Democrat* on September 10, 2015.

**Larimer/East Liberty Phase II Development** (formerly known as East Liberty Gardens) Intersection of Larimer Avenue and Broad Street, City of Pittsburgh, **Allegheny County**. K.U. Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Housing Authority of the City of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219 has submitted a Notice of Intent to Remediate to meet the Site Specific standard concerning site soils contaminated with semi-volatile organic compounds and metals, and groundwater contaminated with volatile organic compounds and metals. The intended future use of the property is residential. Notice of the NIR was published in the *Tribune-Review* on September 22, 2015.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001–4015), 25 Pa. Code Chapters 121–145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401–7671q) and regulations adopted under the Federal Clean Air Act.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### PLAN APPROVALS

**Plan Approval Applications Received under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.**

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*



Contact: Mark R. Gorog, P.E., Environmental Engineer Manager—Telephone: 412-442-4150

**65-00990D: Tenaska Pennsylvania Partners, LLC** (14302 FNB Parkway, Omaha, NE 68154) Notice is hereby given in accordance with 25 Pa. Code § 127.44 that the Department of Environmental Protection has received a plan approval application from Tenaska Pennsylvania Partners, LLC for the transfer and use of volatile organic compound emission reduction credits at the Westmoreland Generating Station in South Huntingdon Township, **Westmoreland County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636

**20-037B: US Bronze Foundry and Machine, Inc.** (18649 Brakeshoe Road, Meadville, PA 16335), application received for the installation and operation of: two (2) 2,000 lb. capacity electric induction furnaces, one (1) sand handling system, one (1) Shotblast Wheelabrator, grinding operations, and the reconfiguring of exhausting and air emission control device equipment in Woodcock Township, **Crawford County**. This is a non-Title V facility.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: James A. Beach, New Source Review Chief—Telephone: 484-250-5920

**23-0003AA: Monroe Energy-Trainer Refinery**, (4101 Post Road, Trainer, PA 19061), for the decommission of Sour Gas Flare and rerouting the gas headers to the Main Flare and the Sulfur Recovery Plant at the refinery facility located in Trainer Borough, **Delaware County**. Monroe is a major facility and operates under Title V operating permit No. 23-00003. The project is subject to Federal NSPS regulations. The project does not produce significant emission increases and non-attainment NSR and PSD regulations are not triggered by this project. The plan approval contains monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507

**54-00041A: Silberline Manufacturing Co., Inc.** (130 Lincoln Drive, Tamaqua, PA 18252) to construct a new manufacturing process for waterborne pigments with control devices at their facility in Rush Township, **Schuylkill County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) intends to issue a Plan Approval to Silberline Manufacturing Co., Inc. (130 Lincoln Drive, Tamaqua, PA 18252) to construct a new manufacturing process for waterborne pigments with control devices. The facility currently operates under Title V Operating Permit No. 54-00041. Plan approval 54-00041A will subsequently be

incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 54-00041A is for installation of a new manufacturing process for waterborne pigments including the following control equipment. One (1) new ammonia wet scrubber and one (1) new Particulate Matter (PM) condenser are to be installed. VOC emission increases from this source are not to exceed 6.24 Tons/year. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 54-00041A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Contact: Mark R. Gorog, P.E., Environmental Engineer Manager—Telephone: 412-442-4150

**65-00990D: Tenaska Pennsylvania Partners, LLC** (14302 FNB Parkway, Omaha, NE 68154) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue plan approval no. 65-00990D to Tenaska Pennsylvania Partners, LLC (Tenaska) for authorization of the transfer and use of volatile organic compound (VOC) emission reduction credits (ERCs) at the Westmoreland Generating Station in South Huntingdon Township, **Westmoreland County**. In accordance with PA-65-00990C and 25 Pa. Code §§ 127.201—127.217, the permittee shall secure 429 tons per year of NO<sub>x</sub> ERCs and 1,439 tons per year of VOC ERCs no later than the date approved by the Department for commencement of operation of the proposed facility. In accordance with 25 Pa. Code § 127.208(2), the Department proposes to authorize the transfer and use of 18.30 tpy of VOC ERCs which were generated from sources at the R.R. Donnelley & Sons Co. facility located in Lancaster, **Lancaster County**, PA and 22.27 tpy of VOC ERCs which were generated from sources at the Bemis Company, Inc. facility located in Hazle Township, **Luzerne County**. Tenaska is required to secure approval

to use the remaining offsetting ERCs through additional plan approval(s) prior to commencing operation.

Tenaska's plan approval application, the Department's review memorandum, the proposed plan approval, and other relevant information are available for review by any interested party at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review, please contact Phil Bouse at 412.442.4000.

A person may oppose the proposed plan approval by filing a written protest with the Department through Alexander Sandy, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222; [asandy@pa.gov](mailto:asandy@pa.gov); or fax 412.442.4194. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-65-00990D), and concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication.

The Department may, in its discretion, hold a fact finding conference or hearing at which the petitioner, and any person who has properly filed a protest as described above, may appear and give testimony; provided, however, that in no event will the Department be required to hold such a conference or hearing.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6328*

**24-012J: Graftech USA LLC** (800 Theresia Street, St Marys, PA 15857-1898) for the replacement of the control device C109A (Mill Mix Bayless Wet Scrubber 8,200 acfm), which is used to control particulate matter emissions for source 109 (Mixer, Feeder, Scale) prior to the exhaust stream entering C109 (Regenerative Thermal Oxidizer) (RTO). This facility is located in the City of St Marys, **Elk County**.

Pursuant to 25 Pa. Code §§ 127.44(a) and 127.424, the Department of Environmental Protection (DEP) intends to issue Plan Approval 24-012J to Graftech USA LLC for the replacement of control devices C109A, which controls particulate matter emissions for source 109 (Mixer, Feeder, Scale). This facility is located in the City of St Marys, Elk County. The Plan Approval will subsequently be incorporated into the facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Based on the information provided by the applicant and DEP's own analysis, the sources modified under this plan approval will have no change in emissions resulting from this project.

The Plan Approval will contain emission restrictions, along with, testing, monitoring, recordkeeping, work practice and additional requirements designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. The Department will consider any written comments received within 30 days of the publication of this notice.

Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 24-012J, Graftech USA LLC and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to the New Source Review Section, Air Quality Program, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335, Phone: 814-332-6940.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by calling 814-332-6940, or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

## OPERATING PERMITS

### Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174*

**11-00332 Cambria Cogen Company** (243 Rubisch Road, Ebensburg, PA 15931), In accordance with 25 Pa. Code §§ 127.441, 127.425, and 127.521, the Department is providing notice of intent to issue a Title V Operating Permit for the continued operation of a waste coal-fired power plant, known as the Cambria Generation Facility, located in Cambria Township, **Cambria County**.

The facility is a waste coal-fired electrical power plant. The main sources at this facility are two (2) circulating fluidized bed (CFB) waste coal-fired boilers (Source IDs 031 and 032), with maximum fuel heat inputs of 630 MMBtus/hour, each, which power a single electrical generator. Net electrical output from the twin boiler system is 87-MW. Emissions from the CFB boilers are controlled by limestone fed into the fluidized bed to control sulfur dioxide (SO<sub>2</sub>) emissions, low combustion temperatures and selective non-catalytic reduction systems (SNCR) to control NO<sub>x</sub> emissions, coarse particulate cyclone separation with reinjection into the bed, followed by fabric filters to control PM emissions and further control SO<sub>2</sub> emissions. Collection of SO<sub>2</sub> and acid gases, including hydrochloric acid and hydrofluoric acid, by calcium in the limestone, takes place in the boiler and downstream system. Supporting equipment at this site includes one, 98.38 MMBtus/hour, auxiliary NG-fired boiler; one, 210-bhp, emergency diesel firepump engine, coal and lime-



stone processing, handling, and conveying equipment, an ash handling system, and plant roads.

This facility has the potential to emit the following type and quantity of pollutants: 4,871 tons of SO<sub>2</sub>, 1,475 tons of NO<sub>x</sub>, 736 tons of CO, 178 tons of PM<sub>10</sub>, 127 tons of PM<sub>2.5</sub>, 9 tons of VOC, 147.2 tons of the sum of all HAPs, including 143.8 tons of hydrochloric acid and 1.2 tons of hydrofluoric acid and 13.3 pounds of mercury per year and 1,100,921 tons of CO<sub>2</sub>e. Sources at the facility are subject to 40 CFR Part 60, Subpart Db—Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, Subpart Y, Standards of Performance for Coal Preparation and Processing Plants, and Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants and 40 CFR, Part 63—Subpart ZZZZ—National Emission Standards for Hazardous Pollutants for Stationary Reciprocating Internal Combustion Engines, Subpart DDDDD—National Emission Standards for Hazardous Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, and Subpart UUUUU—National Emission Standards for Hazardous Pollutants for Coal- and Oil-fired Electric Steam Utility Steam Generating Units, as well as 40 CFR 64, Part 64—Compliance Assurance Monitoring, Trading Rule Provisions of 40 CFR 72—77 and 25 Pa. Code § 127.531, Acid Rain Provisions of 40 CFR 72—77, CSAPR of 40 CFR Part 97 and 25 Pa. Code § 127.531, and 25 Pa. Code Chapters 121—145. No equipment or emission changes are being approved by this action. The permit includes emission limitations and operational, monitoring, testing, recordkeeping, workpractice, and reporting requirements for the facility.

DEP also intends to issue an Acid Rain Permit for this site. The CFB Boilers were previously exempt from the Acid Rain Program. The Title IV Permit is included by reference in the Title V Operating Permit renewal. Because the CFB Boilers were constructed after the time period for operation used to establish the SO<sub>2</sub> allocation baseline, Cambria Cogen receives no SO<sub>2</sub> credits by allocation. For these ARP Opt-in units, the owners of the facility must purchase SO<sub>2</sub> credits to offset emissions.

Cambria Cogen Company's Title V Operating Permit renewal application, the Department's Air Quality Review Memorandum, and the proposed Air Quality Title V Operating Permit for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Title V Operating Permit renewal application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Title V Operating Permit for this project, a person may contact Phil Bouse at pbouse@pa.gov or 412.442.4000.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests

for a public hearing, and protests must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Title V Operating Permit 11-00332) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Comments, protests and requests for a public hearing should be directed to Martin L. Hochhauser, P.E., Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. (mhochhause@pa.gov, fax 412-442-4194)

#### **Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**46-00044: Glasgow, Inc.** (Church & Flint Hill Roads, King of Prussia, PA 19406), located in Upper Merion Township, **Montgomery County**, for a renewal of administrative amendment to State Only (Synthetic Minor) Operating Permit No. 46-00044 for its McCoy Quarry & Asphalt Plant facility. The facility's air emissions sources consist of a batch hot mix asphalt (HMA) plant, a primary stone crushing plant, and a secondary stone crushing plant. The administrative amendment incorporates the requirements of Plan Approval No. 46-0044B for the secondary stone crushing plant. The batch HMA plant is subject to a HMA production restriction of 576,000 tons per year, and the facility is subject to site-level nitrogen oxide (NO<sub>x</sub>) and volatile organic compound (VOC) emission restrictions of less than 25 tons/yr each. Other than the replacement of two secondary stone crushers approved under Plan Approval No. 46-0044B, no changes have occurred at the facility since the SOOP was last amended in February 2010.

The batch HMA plant is subject to the provisions of 40 C.F.R. Part 60, Subpart I, and the primary stone crushing plant and two replacement secondary stone crushers of the secondary stone crushing plant are subject to the provisions of 40 C.F.R. Part 60, Subpart OOO. The renewal SOOP will continue to include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702*

**36-05162: Quality Custom Cabinetry Inc.** (125 Peters Road, New Holland, PA 17557) to issue a renewal of a State Only Operating Permit for their custom kitchen cabinet and counter top manufacturing plant in Earl Township, **Lancaster County**. Actual emissions from the site for the year 2014 were approximately 22.1 tons of volatile organic compounds (VOCs) and 4.5 tons of hazardous air pollutants (HAPs). The Operating Permit includes emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure that the facility complies with all the applicable air quality regulations.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**18-00012: Lock Haven University of Pennsylvania** (410 North Fairview Street, Lock Haven, PA 17745) to issue a renewal State Only Operating Permit for their college campus located in the City of Lock Haven, **Clin-ton County**. The facility is currently operating under State Only Operating Permit 18-00012. The facility's main sources include a natural gas/No. 2 fuel oil fired boilers, emergency generators and small parts washers.

The facility has the potential to emit 65.47 tons per year of nitrogen oxides, 35.03 tons per year of carbon monoxide, 25.42 tons per year of sulfur oxides, 4.47 tons per year of particulate matter, 3.30 tons per year of volatile organic compounds, and 1.07 ton per year of total hazardous air pollutants (HAPs). The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, 40 CFR Part 63 Subpart JJJJJJ, 40 CFR Part 63 Subpart ZZZZ as well as 40 CFR Part 60 Subpart IIII.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

**17-00028: Greenwood Processing & Loading Complex, LLC** (1340 Hoyt Road, Curwensville, PA 16833) for their coal preparation facility located in Greenwood Township, **Clearfield County**. The facility is currently operating under the State Only operating permit 17-00028. The facility's main sources include a coal processing operation, coal stockpiles and site haul roads.

The facility has potential emissions of 47.28 tons per year of particulate matter. No emission or equipment changes are being proposed by this action at the site. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Parts 63.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williams-

port, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

**19-00016: Milco Industries, Inc.** (550 East Fifth Street, Bloomsburg, PA 17815) for their textile finishing facility located in Town of Bloomsburg, **Columbia County**. The facility is currently operating under the State Only operating permit 19-00016. The facility's main sources include two (2) identical Kewanee manufactured natural gas/#2 fuel fired boilers and two (2) natural gas fired tenter frame fabric dryers.

The facility has potential emissions of 14.42 tons per year of nitrogen oxides, 13.65 tons per year of carbon monoxide, 0.10 ton per year of sulfur oxides, 8.23 tons per year of particulate matter, 36.69 tons per year of volatile organic compounds, and 3.04 tons per year of total hazardous air pollutants (HAPs) while burning #2 fuel oil at the facility. The potential emissions at the facility reduced insignificantly due to removal of three emergency generators and one ethylene sterilizer. The boilers are subject to 40 CFR Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Parts 63.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6131*

**20-00043: Dunbar Asphalt Products** (11203, Ellion Road, Conneaut Lake, PA 16316) for a Synthetic Minor Permit to operate a hot mix asphalt plant located in Sadsbury Township, **Crawford County**. The emitting sources include the following: 1) Hot Mix Asphalt Batch Plant-Rotary Dryer, 2) Asphalt Cement Storage Tank Heater, 3) Hot Elevators, Screens, Bins, 4) Cold Aggregates Bins, 5) Finished Products Silos and, 6) RAP System. The facility has a limit of 495,000 tons of product per year to restrict the CO emissions to less than 100 TPY. The actual emissions reported to the Department for 2014 were: PM<sub>10</sub>—11.4 tons, SO<sub>x</sub>—3.1 tons, CO—1.2 ton, NO<sub>x</sub>—1 ton, and VOCs—07 tons.

## PLAN APPROVALS

**Receipt of Plan Approval Applications and Intent to Issue Plan Approvals, and Intent to Issue Amended Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B And Subchapter F. These actions may include the administrative amendments of an associated operating permit.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*



**54-00001A: Guilford Mills Inc.** (1 Penn Dye Street, Pine Grove, PA 17963) for their facility in Pine Grove Borough, **Schuylkill County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Guilford Mills Inc. (1 Penn Dye Street, Pine Grove, PA 17963) for their facility in Pine Grove Borough, Schuylkill County. This Plan Approval No. 54-00001A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 54-00001A is for the installation and operation of one (1) tenter frame and will use a currently installed control device for opacity control. Nitrogen Oxide (NO<sub>x</sub>) and Sulfur Oxides (SO<sub>x</sub>) emissions from the plant will remain under their 100 TPY threshold limit, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code §§ 123.13 and 123.41 for PM and opacity emissions. These limits will meet BAT requirements for this source. The company shall also be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 54-00001A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

**45-00035A: Joseph J. Pula Funeral Home Inc. d.b.a. Pocono Crematory** (35 Sterling Rd Rt 196, Mount Pocono, PA 18344) for their facility in Mount Pocono Borough, **Monroe County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Joseph J. Pula Funeral Home Inc. d.b.a. Pocono Crematory (35 Sterling Rd Rt 196, Mount Pocono, PA 18344) for their facility in Mount Pocono Borough, Monroe County. This Plan Approval No. 45-00035A will be incorporated into a Natural Minor Permit through an administrative amendment at a later date.

Plan Approval No. 45-00035A is for the installation and operation of one (1) human remains incinerator. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions and shall be required to maintain the temperature at the exit of the secondary (or last) chamber at 1,800° F or higher and be maintained throughout the cremation cycle. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 45-00035A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Depart-

ment at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121–77.123 and 86.31–86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

#### *Coal Applications Received*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**03851601 and NPDES No. PA0214540. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 15201). To revise the permit for the Dutch Run Prep Plant in Plumcreek Township, **Armstrong County** and related NPDES permit, to add acres and relocate an existing sedimentation pond. Coal Refuse Disposal Acres Proposed 5.7. No additional discharges. The application was considered administratively complete on September 28, 2015. Application received July 16, 2015.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**Permit No. 11813040 and NPDES No. PA0125423. Cooney Brothers Coal Co.**, P. O. Box 246, Cresson, PA 16630, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Adams Township, **Cambria County**, affecting 750 acres. Receiving streams: unnamed tributary to/and South Fork Little Conemaugh River; unnamed tributary to/and Sulphur Creek classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority. Application received: September 24, 2015.

**Permit No. 32090104 and NPDES No. PA262897. Beth Contracting, Inc.**, 815 Rock Run Road, Glen

Campbell, PA 15742, permit renewal for the continued operation and restoration of a bituminous surface mine in Banks Township, **Indiana County** affecting 23.2 acres. Receiving streams: unnamed tributaries to Cush Creek and Horton Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: September 22, 2015.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**Permit No. 54663021R6 and 54663021GP104R. Reading Anthracite Company**, (PO Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine and coal refuse reprocessing operation and NPDES General Permit in New Castle Township, **Schuylkill County** affecting 693.0 acres, receiving stream: West Branch Schuylkill River, classified for the following use: cold water fishes. Application received: September 25, 2015.

**Permit No. 54-305-022GP12R. Reading Anthracite Company**, (PO Box 1200, Pottsville, PA 17901), renewal of an existing permit to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 54663021 in New Castle Township, **Schuylkill County**. Application received: September 25, 2015.

**Permit No. 40980101R3 and NPDES Permit No. PA0224944. Hazleton Materials, LLC**, (PO Box 196, Skippack, PA 19474), renewal of an existing anthracite surface mine and coal refuse reprocessing operation and NPDES Permit for discharge of treated mine drainage in Foster Township, **Luzerne County** affecting 1,261.0 acres, receiving streams (no discharge): Little Sandy Run, unnamed tributary to Buck Mountain Creek, unnamed tributary to Hazle Creek and Black Creek, classified for the following use: HQ—cold water fishes. Application received: September 28, 2015.

**Permit No. 40980101C3. Hazleton Materials, LLC**, (PO Box 196, Skippack, PA 19474), correction of an existing anthracite surface mine and coal refuse reprocessing operation in Foster Township, **Luzerne County** to increase the permitted acres from 1,261.0 to 1,425.0 acres, receiving streams: (no discharge): Little Sandy Run, unnamed tributary to Buck Mountain Creek, unnamed tributary to Hazle Creek and Black Creek, classified for the following use: HQ—cold water fishes. Application received: September 28, 2015.

#### *Noncoal Applications Received*

**Effluent Limits**—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining permit:

Parameter	Table 2		
	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**Permit No. 5074SM3A2 and NPDES Permit No. PA0121126, Valley Quarries, Inc.,** P. O. Box J, Chambersburg, PA 17201, renewal of NPDES Permit, Greene Township, **Franklin County**. Receiving stream: Conococheague Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: September 21, 2015.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**Permit No. 40090301C2 and NPDES Permit No. PA0224774, Cedar Rock Materials Corp.,** (208 West 11th Street, Berwick, PA 18603), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Salem Township, **Luzerne County** affecting 252.0 acres, receiving stream: Susquehanna

River, classified for the following uses: warm water and migratory fishes. Application received: September 28, 2015.

#### MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

#### *Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	

Alkalinity greater than acidity\*

\*The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

#### *Effluent Limits for Noncoal Mining Activities*

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.



Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### *Noncoal NPDES Draft Permits*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**NPDES No. PA0121126 (Mining Permit No. 5074SM3A2), Valley Quarries, Inc.,** P. O. Box J, Chambersburg, PA 17201, renewal of an NPDES permit for a large noncoal sand quarry and processing facility in Greene Township, **Franklin County**, affecting 256.1 acres. Receiving stream: Conococheague Creek, classified for the following use: cold water fishes. Application received: September 21, 2015.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for noncoal mining activities.

The outfalls listed below discharge to Conococheague Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001—Sediment Pond	N
002—Sediment Pond	N

### **FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401**

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person

commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

#### **Applications Received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.**

#### **WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E23-525. Ridley Township**, 535 Fritztown Road, Folsom, PA 19033, Ridley Township, **Delaware County**, ACOE Philadelphia District.

To remove the existing building which is located in and along the 100-year floodplain of Darby Creek.

The site is located at 401 S. Swarthmore Avenue (Bridgeport USGS map, Lat.: 39.5214; Long. -75.1850).

*Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E23-525. Ridley Township**, 535 Fritztown Road, Folsom, PA 19033, Ridley Township, **Delaware County**, ACOE Philadelphia District.

To remove the existing building which is located in and along the 100-year floodplain of Darby Creek.

The site is located at 401 S. Swarthmore Avenue (Bridgeport USGS map, Lat.: 39.5214; Long. -75.1850).

**E23-522-DELCORA**, City of Chester, P. O. Box 999, Chester, PA 19016, Chester City, **Delaware County**, ACOE Philadelphia District.

To perform the below listed water obstruction and encroachment activities within floodplains of the Ridley Creek (WWF) which forms part of the Ridley Creek Capital Improvement Project: in the:

1. To construct and maintain a gravel access road to facilitate the inspection and maintenance of a manhole and auxiliary sewer lines.

2. To extend and maintain by approximately 165 linear feet an existing 18-inch diameter culvert under the proposed access road with required energy dissipater rip-rap at the discharge point which forms part of the drainage system to curtail the existing erosion problem as part of the project objective.

3. To extend by approximately 149 linear feet an existing 8-inch diameter PVC pipe from its present outfall location and connect it to the proposed 18-inch diameter pipe extension above.

The proposed project is located along Ridley Creel approximately 1.63 mile above its confluence with the Delaware River in in Ridley Township, Delaware County (USGS Quadrangle Bridgeport NJ-PA—Latitude 39° 48' 33" -Longitude 75° 24' 49").

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**F41-007 Muncy Borough**, 14 N. Washington Street, Muncy, PA 17756. Floodplain encroachment demolition (1) in Muncy Borough, **Lycoming County**, US ACOE Baltimore District. Muncy Borough is seeking authorization to demolish the existing floodplain encroachments (flood damaged structures) and to re-grade the floodplain at the following locations: 1-7 North Main Street, Muncy, PA 17756 (Muncy Quadrangle, Lat.: 41° 72' 20" N, Long.: 76° 47' 09" W).

## DAM SAFETY

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P. O. Box 8460, Harrisburg, PA 17105-8460*

**D20-047A. Pennsylvania Fish and Boat Commission**, 450 Robinson Lane, Bellefonte, PA 16823. To construct, operate and maintain Tamarack Lake A Dam across Mill Run (WWF), impacting 0.05 acre of wetlands (PEM) and 50 feet of stream for the purposes of flood control and recreation (Cochran, PA Quadrangle Latitude: 41.6142; Longitude: -80.1185) in West Meade Township, **Crawford County**.

**D20-070A. Pennsylvania Fish and Boat Commission**, 450 Robinson Lane, Bellefonte, PA 16823. To construct, operate and maintain Tamarack Lake B Dam across Mud Run (CWF), for the purposes of flood control and recreation (Cochran, PA Quadrangle Latitude: 41.5812; Longitude: -80.0766) in East Meade, West Meade, and Fairfield Townships, **Crawford County**.

## ACTIONS

### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.



**I. NPDES Renewal Permit Actions**

*Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061417 (IW)	Northeastern Power Co. (a.k.a. Kline Twp Cogeneration Plant) 90 Plant Road/Rt 309S McAdoo, PA 18237	Schuylkill County Kline Township	East Branch Little Schuylkill River (3-A)	Y

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
Sewage Renewal	Eldred Borough STP Service Plant Road Eldred, PA 16731	Eldred Borough McKean County	Allegheny River Watershed 16-C	Y

**II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions**

*Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401*

**NPDES Permit No. PA0244490**, Sewage, Amendment 1, **Patrick Reilly & Paula Holzman**, 171 Creamery Road, Coatesville, PA 19320.

This proposed facility is located in West Caln Township, **Chester County**.

Description of Action/Activity: Permit transfer from Bruce E. Shepherd to Patrick Reilly & Paula Holzman.

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**NPDES Permit No. PA0254941**, SIC Code 8811, **Miller Cheryl**, 5715 Clay Pike, Chandlersville, OH 43727.

This proposed facility is located in Moon Township, **Allegheny County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

**III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law**

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900*

**WQM Permit No. WQG02461505**, Sewage, **Upper Providence Township**, 1286 Black Rock Road, P. O. Box 406, Oaks, PA 19456.

This proposed facility is located in Upper Providence Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a sewer extension.

**WQM Permit No. 0915401**, Sewage, **Toll PA II, LP**, 250 Gilbrator Road, Horsham, PA 19044.

This proposed facility is located in Buckingham Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a wastewater treatment facility & Public Water Supply.

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

**WQM Permit No. 0215411**, **Stowe Township**, 3300 Preble Avenue, Pittsburgh, PA 15233.

This proposed facility is located in Stowe Township, **Allegheny County**.

Description of Proposed Action/Activity: Replace existing pump station.

**WQM Permit No. 0201402-A1**, Sewage, **W Mifflin Sanitary Sewer Municipal Authority**, 1302 Lower Bull Run Road, West Mifflin, PA 15122-2902.

This existing facility is located in West Mifflin Borough, **Allegheny County**.

Description of Proposed Action/Activity: Replacement of chlorination system with UV disinfection system.

**WQM Permit No. 021502**, **Glen Osborne Borough**, PO Box 97, Sewickley, PA 15143.

This proposed facility is located in Glen Osborne Borough, **Allegheny County**.

Description of Proposed Action/Activity: Construction of Pump Station and Force Main.

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**VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions**


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*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023915004	Jaindl Land Company c/o Mr. David Jaindl 3150 Coffeetown Road Orefield, PA 18069	Lehigh	Lower Macungie and Upper Macungie Townships	Little Lehigh Creek (HQ-CWF, MF), Schaefer Run (HQ-CWF, MF), and Spring Creek (HQ-CWF, MF)

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Nathan Crawford, Section Chief, Telephone 717.705.4802.*

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033614006(1)	PPL Electric Utilities Corporation 1639 Church Road Allentown, PA 18104-9342	Lancaster	Brecknock Township	Muddy Creek (TSF, MF)
PAI032110002R	Samuel F. Cressler 9400 Molly Pitcher Highway Shippensburg, PA 17257	Cumberland	Shippensburg Borough	Middle Spring Creek (Designated use CWF, MF; Existing Use HQ-CWF, MF)

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**VII. Approvals to Use NPDES and/or Other General Permits**


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The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

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**List of NPDES and/or Other General Permit Types**


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PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02*

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Union Township Adams County	PAG02000115023 Issued	Paul D. Burkentine/ Stone Ridge Development Corporation 330 Dubbs Church Road Hanover, PA 17331-9596	UNT to South Branch Conewago Creek/WWF	Adams County Conservation District 670 Old Harrisburg Rd., Suite 201 Gettysburg, PA 17325 717-334-0636
Logan Township & City of Altoona Blair County	PAG02000715002 Issued	Penn State University 139J Physical Plant Building University Park, PA 16802	Spring Run/ WWF, MF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877
Montgomery Township Franklin County	PAG02002815022 Issued	Thomas Rosencranz 16 Milburn Circle Pasadena, MD 21122	UNT to West Br. Conococheague Creek/TSF, MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
Borough of Chambersburg Franklin County	PAG02002815024 Issued	Quattro Chambersburg Brett Dahlman 1100 Jorre Boulevard, Suite 140 Oak Brook, IL 60523	UNT to Falling Springs Creek/ TSF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
Lurgan Township Franklin County	PAG02002815026 Issued	Nebley's Poultry Barns Neil Negley 16199 Cumberland Highway Newburg, PA 17240	UNT to Clippingers Run/WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
Montgomery Township Franklin County	PAG02002815025 Issued	Nelson Nolt 184 Pilottown Road Peach Bottom, PA 17563	Licking Creek/TSF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
Manor Township Lancaster County	PAG02003615087 Issued	Douglas Funk 3995 Continental Drive Columbia, PA 17512	Stamans Run/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361
Manor Township Lancaster County	PAG02003615091 Issued	Signature Senior Living Lanc. LLC 1800 2nd Street Suite 717 Sarasota, FL 34236	Little Conestoga Creek/WWF, MF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361
West Lampeter Township Lancaster County	PAG02003615100 Issued	Willow Valley Associates, Inc. 200 Willow Valley Square Lancaster, PA 17602	UNT To Mill Creek/ WWF, MF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3636*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Bradford County Wysox & Asylum Twps.	PAG02000815007	John Coleman Panda Liberty LLC 151 Liberty Lane Towanda, PA 18848	Susquehanna River, WWF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
Bradford County Wyalusing Township	PAG02000815009	Appalachian Realty Holdings, Inc 13 Windy Drive Shavertown, PA 18708		
Centre County Boggs Township	PAG02001415018	Hoon Won—CEO CNG Bald Eagle, LLC 1865 Center St Camp Hill, PA 17011-1703	Bald Eagle Creek, TSF, MF, UNTs to Bald Eagle Creek, CWF, MF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Clearfield County Lawrence Township	PAG02001715011	Clearfield Soccer Association P O Box 886 Clearfield, PA 16830		Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield, PA 16830 (814) 765-2629
Columbia County Town of Bloomsburg	PAG02001912010(1)	Town of Bloomsburg 301 East 2nd St Bloomsburg, PA 17815		Columbia County Conservation District 702 Sawmill Rd Ste. 204 Bloomsburg, PA 17815 (570) 784-1310 X 102
Union County Buffalo Township	PAG02006015009	Landis Reiff 635 Church Rd Mifflinburg, PA 17844	UNT to Buffalo Creek, CWF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg, PA 17837 (570) 524-3860

*General Permit Type—PAG-03*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Philadelphia City Philadelphia County	PAR230088	Sun Chemicals Corp Gpi Div. 3301 W Hunting Park Ave. Philadelphia, PA 19132	Unnamed Tributary to Schuylkill River—3F	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Bethlehem City Lehigh County	PAG032214	J.B. Hunt Transport, Inc. 705 A North Bloomington Lowell, AR 72745-9673	East Branch Saucon Creek—2-C CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511
Clairton City Allegheny County	PAG036139	Koppers Inc. 300 N State Street Clairton, PA 15025	Peters Creek—19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000



*General Permit Type—PAG-4*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Hilltown Township Bucks County	PAG040103	Spahr Travis 1422 Hilltown Pike Hilltown, PA 18927	Dry swale to Neshaminy Creek in Watershed—2-F.	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Lower Merion Township Montgomery County	PAG040162 A-1	Elizabeth C. Greenhalgh 1426 Rose Glen Road Gladwyne, PA 19035	Unnamed Tributary to Mill Creek in Watershed—3-F Lower Schuylkill	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

*General Permit Type—PAG-10*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
North Strabane Township Washington County	PAG106187	Columbia Midstream Group LLC 5151 San Felipe Suite 2400 Houston, TX 77056	Unnamed Tributary to Chartiers Creek—20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

**PUBLIC WATER SUPPLY PERMITS**

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**SAFE DRINKING WATER****Actions taken under the Pennsylvania Safe Drinking Water Act**

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Permit No. 451550, Public Water Supply.**

Applicant	<b>M. Manor Holding L.P.</b> 109 Clubhouse Court East Stroudsburg, PA 18302
Municipality	Smithfield Township
County	<b>Monroe</b>
Type of Facility	PWS
Consulting Engineer	Russell D. Scott IV, P.E. RKR Hess, A Division of UTRS, Inc. 112 North Courtland Street East Stroudsburg, PA 18301
Permit to Construct Issued	October 6, 2015

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**Permit No 1415504—Construction—Public Water Supply.**

Applicant	<b>Penns Valley Medical Center</b>
Township/Borough	Penn Township
County	<b>Centre</b>
Responsible Official	John Alan Ilgen Penns Valley Medical Center P. O. Box 302 Milheim, PA 16854

Type of Facility	Public Water Supply	Description of Action	Installation of a membrane filtration plant and ultraviolet disinfection for treatment of raw water from Fishing Creek.
Consulting Engineer	Kerry D. Tyson, P.E. Nittany Engineering and Associates, LLC 2836 Earlstown Road, Suite 1 Centre Hall, PA 16828	<b>Permit No 4715501MA—Operation (Partial)—</b> Public Water Supply.	
Permit Issued	September 30, 2015	Applicant	<b>Danville Municipal Authority</b>
Description of Action	Addition of a nitrate removal system and replacement of existing water softener model with a more compatible model to your Well #1 water treatment system.	Township/Borough	Danville Borough
		County	<b>Montour</b>
		Responsible Official	Walter Shultz, Chairman Danville Municipal Authority 12 W. Market Street P. O. Box 179 Danville, PA 17821-0179
<b>Permit No 1714501-MA—Operation—Public Water Supply.</b>			
Applicant	<b>Burnside Borough Water System</b>	Type of Facility	Public Water Supply
Township/Borough	Burnside Borough	Consulting Engineer	David E. Marks, P.E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106
County	<b>Clearfield</b>	Permit Issued	October 2, 2015
Responsible Official	James Philips, Vice-Chairman Borough of Burnside P. O. Box 208 Burnside, PA 15721	Description of Action	Operation of the 1.5 million gallon steel water storage tank known as the East Tank and the SolarBee tank mixer within this tank while the 1.5 million gallon steel water storage tank known as the West Tank is out-of-service for minor modifications, repairs and repainting.
Type of Facility	Public Water Supply		
Consulting Engineer	Stephen M. Sewalk, P.E. The EADS Group 227 Franklin Street Suite 300 Johnstown, PA 15901		
Permit Issued	September 30, 2015		
Description of Action	Operation of a 72,000-gal glass fused to steel water storage tank, concrete valve vault with pressure/level gauge and specialized valves to control flow into and out of the tank, and waterline to connect the tank to the booster pumps in the water treatment plant and the distribution system.	<b>Permit No 5515501MA—Operation—Public Water Supply.</b>	
		Applicant	<b>Beavertown Municipal Authority</b>
		Township/Borough	Beavertown Borough
		County	<b>Snyder</b>
		Responsible Official	Fred Wagner, Authority President Beavertown Municipal Authority 419 Old Orchard Drive Beavertown, PA 17813
<b>Permit No 1914502—Construction—Public Water Supply.</b>			
Applicant	<b>United Water Pennsylvania, Inc.</b>	Type of Facility	Public Water Supply
Township/Borough	Town of Bloomsburg	Consulting Engineer	Edward J. Brown Larson Design Group 1000 Commerce Park Drive, Suite 201 Williamsport, PA 17701
County	<b>Columbia</b>	Permit Issued	September 29, 2015
Responsible Official	John D. Hollenbach United Water Pennsylvania, Inc. 4211 East Park Circle Harrisburg, PA 17111	Description of Action	Operation of the rehabilitated 423,000 gallon glass-coated, bolted steel water storage tank.
Type of Facility	Public Water Supply		
Consulting Engineer	Michael Schober, P.E. CDM Smith, Inc. 205 Granite Run Drive, Suite 350 Lancaster, PA 17601	<i>Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745</i>	
Permit Issued	October 2, 2015	<b>Permit No. 0215526-E, Public Water Supply.</b>	
		Applicant	<b>Hampton Shaler Water Authority</b> PO Box 66 3101 McCully Road Allison Park, PA 15101

[Borough or Township] Sharpsburg Borough  
 County **Allegheny**  
 Type of Facility Interconnection  
 Consulting Engineer  
 Permit to Construct September 30, 2015  
 Issued

**Operations Permit** issued to: **Southwestern Cambria County Water Authority**, 79 Vogel Street, Johnstown, PA 15902, (PWSID #4110041) Conemaugh Township, **Cambria County** on September 30, 2015 for the operation of facilities approved under Construction Permit #1115506MA.

**Permit No. 5688506-T2, Minor Amendment.** Public Water Supply.

Applicant **Margaret G. Hay, Owner**  
 Glades Pike Estates  
 4035 Glades Pike  
 Somerset, PA 15501

[Borough or Township] Somerset Township  
 County **Somerset**  
 Type of Facility Water system  
 Consulting Engineer  
 Permit to Operate September 30, 2015  
 Issued

*Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Emergency Operation Permit** issued to **Jay Township Water Authority**, PWSID #6240005, Jay Township, **Elk County** on October 2, 2015. This permit is issued for the temporary operation of Byrnedale Well No. 1 and the Byrnedale Well No. 1 water treatment plant.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

##### Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

*Northcentral Region: Clean Water Program Manager, 208 West Third Street, Williamsport, PA 17701*

###### Plan Location:

Borough or Township	Borough or Township Address	County
Sandy Township	1094 Chestnut Ave PO Box 267 Dubois, PA 15801	Clearfield

**Plan Description:** The approved plan provides for upgrades to the Bimini and Harris Cove pump stations within Treasure Lake Development. The upgrades include new pumps, piping, valves, controls and emergency power. Short sections of gravity sewer and forcemain will also be relocated at both pump stations. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Northeast Region: Eric Supey, Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Lehigh Valley Industrial Park**, 1355 Easton Road, Bethlehem City, **Northampton County**. HDR Engineering, 1720 Spillman Drive, Bethlehem, PA 18015, on behalf of Lehigh Valley Industrial Park, 1355 Easton Road, Bethlehem, PA 18108, submitted a Remedial Investigation Report concerning remediation of site soils contaminated with manganese. The report is intended to document remediation of the site to meet the Site-Specific Standard.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Douglas Arnick Property**, 2844 State Road SR 22, Fredericksburg, PA, Bethel Township, **Lebanon County**. McKee Environmental, Inc., 218 Washington Avenue,



Bellefonte, PA 16823, on behalf of Douglas Arnick, 672 Jonestown Road, Jonestown, PA 17038, and Nationwide Agribusiness, 1100 Locust Street, Dept. 3011, Des Moines, IA 50391, submitted a Final Report for site soils contaminated with diesel fuel. The Report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Dolores Dowd Residence**, 1857 and 1859 Rockvale Road, Lancaster, PA 17602, West Lampeter Township, **Lancaster County**. Liberty Environmental, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, on behalf of Dolores Dowd, 1859 Rockvale Road, Lancaster, PA 17602 and Amr A. Shafshak, 154 Grant Avenue, Brooklyn, NY 11208-1804, submitted a Final Report for site soils contaminated with No. 2 fuel oil. The Report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**RE Invest Tire & Wheel Renewal LLC**, 515-621 North College Street, Carlisle, PA 17013, Borough of Carlisle, **Cumberland County**. Sovereign Consulting, Inc., 111A North Gold Drive, Robbinsville, NJ 08691, on behalf of RE Invest Tire & Wheel Renewal, LLC, PO Box 748, Hainesport, NJ 08036, submitted a Final Report concerning remediation of site soils and groundwater contaminated with VOCs, SVOCs, pesticides, herbicides, and PCBs. The report is intended to document remediation of the site to meet a combination of Nonresidential and Residential Statewide Health Standards.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**Hanna/Barrett Properties**, 401 Lincoln Highway & 1156 5th Avenue, Borough of East McKeesport, **Allegheny County**. KU Resources, 22 South Linden Street, Duquesne, PA 15110 on behalf of Turtle Creek Valley of Governments, 2700 Monroeville, PA 15146 has submitted a Remedial Investigation Report (RIR) concerning site soils contaminated with arsenic, benzo(a)pyrene, benzene, antimony, and lead; soil gas containing ethylbenzene and xylenes; and groundwater containing benzene. Notice of the RIR was published in the *Tribune-Review* on September 17, 2015.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup

standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Northeast Region: Eric Supey, Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**D. King Well Pad (Pad 1)**, 106 McCann Road, Dimock Township, **Susquehanna County**. Resource Environmental, 50 Maple Street, Montrose, PA 18801, on behalf of Cabot Oil & Gas, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning the remediation of site soils contaminated with Aluminum, Arsenic, Barium, Boron, Chromium, Copper, Iron, Lead, Lithium, Manganese, Strontium, Vanadium, Zinc, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, TCL Volatile Organic Compounds, and TCL Semi-Volatile Organic Compounds. The Final Report demonstrated attainment of the Background Standard and Statewide Health Standard, and was approved by the Department on October 5, 2015.

**Irene Cooke Property**, 47 Wilden Drive, Palmer Township, **Northampton County**. BlackRock Environmental LLC, PO Box 288, Nazareth, PA 18064, on behalf of BlackRock Environmental LLC, PO Box 288, Nazareth, PA 18064, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Ethylbenzene, Cumene, MTBE, Naphthalene, Toluene, 1,2,4-Trimethylbenzene and 1,3,5-Trimethylbenzene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on October 2, 2015.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Dillerville Railyard—Lancaster's Northwest Gateway—Norfolk Southern Phase**, 333 Harrisburg Pike,



Lancaster, PA 17603, City of Lancaster, **Lancaster County**. ARM Group, Inc., PO Box 797, Hershey, PA 17033, on behalf of EDC Finance Corporation, 100 South Queen Street, Lancaster, PA 17608, submitted a Final Report concerning remediation of site soils and groundwater contaminated with diesel fuel, VOCs and PCBs. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on October 1, 2015.

#### **HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES**

**Applications received, withdrawn, denied or returned under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**PAD 010154045; Envirote of PA, Inc.**, 730 Vogelsong Road, York, PA 17404-1725. A RCRA Part B Permit Renewal Application Permit Number PAD 010154045 for Envirote of Pennsylvania, Inc. located at 730 Vogelsong Road, York, PA 17404 in York City, **York County** has been received for treatment, storage, and disposal of hazardous waste. This application for a Hazardous Waste Permit Renewal was determined to be complete on October 5, 2015.

Further information on the application are available by contacting John Oren, Permitting Section Chief, PA DEP Southcentral Regional Office, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, phone (717) 705-4906. A copy of the permit application is available for review at the Martin Memorial Library located at 159 E. Market Street, York, PA 17401. In addition, the public is invited to review these documents at the Department's Southcentral Regional Office. File reviews may be scheduled by calling 717-705-4732.

All persons wishing to comment on the permit application should submit the comments in writing to the Department at the address above by December 24, 2014. Comments should include all reasonably available references, factual grounds and supporting material. Persons wishing to comment on the application may submit comments to John Oren, P.E., Permitting Section Chief, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110. Persons interested in obtaining more information about the permit application may contact the Southcentral Regional Office, Waste Management Program at (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

#### **Draft permit issued under the Solid Waste Management Act and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.**

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401*

**PAD000429589. Waste Management Disposal Services of Pennsylvania, Inc.**, 1000 New Ford Mill Road, Morrisville, PA 19067. A draft permit has been prepared for the ten-year renewal of the RCRA Post-Closure Permit for Old GROWS Landfill. The draft permit would authorize a continuation of post-closure activities and care at the Old GROWS Landfill, a closed hazardous waste landfill located on the GROWS Landfill property in Falls Township, **Bucks County**. The public comment period on

the draft permit ends 45 days after date of this publication. Draft permit and fact sheet are available at the Southeast Regional Office. Written comments may be sent to the Southeast Regional Office at the address noted. Draft permit was issued on September 16, 2015.

#### **DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS**

**Application(s) for Determination of Applicability for General Permit Approved Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**General Permit Application No. WMGM044. Program I.D. No. WMGM044-NE002. Monroe County Recycling & Alternative Fuel, LLC**, 2213 Shafer Road, Stroudsburg, PA 18360. A General Permit Determination of Applicability for the processing of wood and construction/demolition material for beneficial use as an alternative fuel at a site located in Hamilton Township, **Monroe County**. The application for determination of applicability was approved by the Regional Office on September 28, 2015.

Persons interested in reviewing the permit may contact Roger Bellas, Environmental Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

#### **DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS**

**Determination of Applicability Issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**General Permit No. WMGR082SC002. Boyertown Foundry Company**, 9th and Rothermel Drive, P. O. Box 443, New Berlinville, PA 19545-0443.

The Southcentral Regional Office, Waste Management Program issued a determination of applicability (DOA) under Residual Waste General Permit No. WMGR082 to Boyertown Foundry Company, 9th and Rothermel Drive, P. O. Box 443, New Berlinville, PA 19545-0443 in the Borough of Boyertown, **Berks County**. This general permit is for the processing and beneficial use of steel slag, iron slag, and refractory bricks that were co-disposed with slag ("slag") as a construction material. The authorized processing is limited to magnetic separation of metallics and mechanical sizing and separation. Uses of slag as a construction material under this permit are limited to the following: as an ingredient in bituminous concrete; as aggregate; as base course; as subbase; and as antiskid material. The DOA was issued on October 1, 2015.

Persons interested in obtaining more information about this determination of applicability may contact John Oren, P.E., Permitting Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

**General Permit No. WMGR082SC001. Willow Creek Stoneworks and Supply LLC, dba Willow Creek Environmental Services**, 74 Willow Creek Road, Reading, PA 19605.

The Southcentral Regional Office, Waste Management Program issued a determination of applicability (DOA) under Residual Waste General Permit No. WMGR082 to Willow Creek Stoneworks and Supply, LLC dba Willow Creek Environmental Services, 74 Willow Creek Road, Reading, PA 19605 for the facility of Boyertown Foundry Company, 9th and Rothermel Drive, P. O. Box 443, New Berlinville, PA 19545-0443. This general permit is for the processing and beneficial use of steel slag, iron slag, and refractory bricks that were co-disposed with slag ("slag") as a construction material. The authorized processing is limited to magnetic separation of metallics and mechanical sizing and separation. Uses of slag as a construction material under this permit are limited to the following: as an ingredient in bituminous concrete; as aggregate; as base course; as subbase; and as antiskid material. The DOA was issued on October 1, 2015.

Persons interested in obtaining more information about this determination of applicability may contact John Oren, P.E., Permitting Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702*

**GP3-06-03166B: TMT Gravel & Construction, Inc.** (8792 Rte. 549, Millerton, PA 16936) on September 30, 2015, for a portable nonmetallic mineral processing plant under GP3 at the Conestoga Landfill located in Caernarvon Township, **Berks County**.

**GP11-06-03166B: TMT Gravel & Construction, Inc.** (8792 Rte. 549, Millerton, PA 16936) on September 30, 2015, for one diesel engine under GP11, to power portable nonmetallic mineral processing equipment at the Conestoga Landfill located in Caernarvon Township, **Berks County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648*

**GP3-49-039: Meckley's Limestone Products, Inc.** (1543 State Route 225, PO Box 503, Herndon, PA 17830) on September 10, 2015, to construct and operate a

Nordberg HSI impact crusher, an EXTEC model S5 double deck screener and associated conveyors under the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their quarry in Lower Mahanoy Township, **Northumberland County**.

**GP9-49-039: Meckley's Limestone Products, Inc.** (1543 State Route 225, PO Box 503, Herndon, PA 17830) on September 10, 2015, to construct and operate a 100 bhp Deutz model BF4M2012 engine and a 415 CAT model C13 engine under the General Plan Approval and/or General Operating Permit for Diesel-Fired Internal Combustion Engines (BAQ-GPA/GP-9) at their quarry in Lower Mahanoy Township, **Northumberland County**.

**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Mark R. Gorog, P.E., Environmental Engineer Manager—Telephone: 412-442-4150*

**03-00975C: Armstrong Power, LLC** (2313 State Route 156, Shelocta, PA 15774-3005) on October 1, 2015, for increased combined annual natural gas usage at the Armstrong Power Electric Generating Station, a Title V facility located in South Bend Township, **Armstrong County**.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702*

**06-03117H: Custom Processing Services, Inc.** (2 Birchmont Drive, Reading, PA 17606-3266) on September 29, 2015, for the construction and temporary operation of a micronizing mill controlled by a fabric collector and final filter, at the custom milling facility located in Exeter Township, **Berks County**. The plan approval was extended

**28-05002C: Letterkenny Army Depot** (One Overcash Ave., Chambersburg, PA 17201), on October 2, 2015, for the construction of two coating booths controlled by dry filters at their facility in Letterkenny Township, **Franklin County**. The plan approval was extended.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**19-00028A: White Pines Landfill** (515 State Route 442, Millville, PA 17846) on September 9, 2015, extended the authorization an additional 180 days from September 17, 2015 to March 15, 2016, to continue the evaluation for compliance with the plan approval conditions. Additionally, the extension allows continued operation of the wallboard kiln located at their facility in Pine Township,



**Columbia County** pending issuance of State Only operating permit. The plan approval has been extended.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Mark R. Gorog, P.E., Environmental Engineer Manager—Telephone: 412-442-4150*

**PA-56-00154A: George E. Mason Funeral Home, Inc.** (P. O. Box 409, 1687 Tire Hill Road, Davidsville, PA 15928) Plan Approval Extension effective on September 24, 2015, with an expiration date of March 24, 2016, to extend the period of temporary operation of a human crematory incinerator at the above referenced facility located in Conemaugh Township, **Somerset County**.

**30-00195A: Equitrans, LP** (625 Liberty Avenue, Suite 1700 EQT Plaza, Pittsburgh, PA 15222) plan approval extension effective October 1, 2015, with expiration date of April 1, 2016, for continued temporary operation of air contamination sources and controls at the Jefferson Compressor Station located in Jefferson Township, **Greene County**.

**32-00429A: Reparex Fabricated Systems, Inc.** (PO Box 705, Latrobe, PA 15650) On October 1, 2015, to extend the temporary operation of a reinforced plastic composite manufacturing facility located in Green Township, **Indiana County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6328*

**25-1043A: Barrel O' Fun Snack Foods Company East** (821 Route 97 South, Waterford, PA 16441) on September 30, 2015, effective October 31, 2015, has issued a plan approval extension for the proposed construction of 6 Batch Kettle Fryers (2,700 #/hr of chips), a Corn Puff Line, a Corn Popper, and a hot water boiler in Waterford Township, **Erie County**. This is a State Only facility.

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#### **Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

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*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**19-00004: Cheetah Chassis Corp.** (P. O. Box 388, Berwick, PA 18603) on September 29, 2015, for operation of their Berwick Plant facility located in Berwick Borough, **Columbia County**. The Title V operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**24-00120: Dominion Transmission Ardell Compressor Station** (5000 Dominion Blvd—2NW Glen Allen, VA 23060). On October 1, 2015 issued an administrative amendment to the Title V Operating Permit to incorporate the change of permit contact for the facility located in Benezette Township, **Elk County**.

**33-00140: Dominion Transmission Punxsutawney Compressor Station** (5000 Dominion Blvd—2NW Glen Allen, VA 23060). On October 1, 2015 issued an administrative amendment to the Title V Operating Permit to incorporate the change of permit contact for the facility located in Perry Township, **Jefferson County**.

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#### **Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**15-00081: Johnson Matthey, Inc.** (1401 King Road, West Chester, PA 19380) On October 5, 2015 for the operation of their facility located in West Whiteland Township, **Chester County**. The permit is for a non-Title V (State Only) facility. The existing permit was issued on 9-15-2010 and will expire on 9-30-2015. Johnson Matthey, Inc. manufactures a wide range of platinum metal products, such as gauze for the production of nitric acid for fertilizers, thermocouples for measuring temperature, components for fiberglass manufacturers and the laboratory and medical parts for implants such as heart pacemakers, as well as developing proprietary technology for coating platinum metals on a wide range of substrates, such as ceramics and iridium and iridium alloys. Air pollutant emission sources at the facility are controlled by two (2) Vertical Packed Tower Scrubbers and two (2) Vertical Wet Scrubbers. Based on the potential emissions of VOC and NO<sub>x</sub>, without controls or limitations, which are less than major source threshold, the facility is a Natural Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00235: North Penn School District** (400 Penn Street, Lansdale, PA 19446) On October 5, 2015 for a renewal of Synthetic Minor Operating Permit for North Penn High School in Towamencin Township, **Montgomery County**. This Operating Permit renewal contains all state and federal regulations applicable to the facility including emission limitations, operating restrictions, work practice, monitoring, and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

**45-00007: National Electric Carbon Products/East Stroudsburg** (100 Mill Creek Road, East Stroudsburg, PA 18301-1222) on October 5, 2015 for manufacture of Carbon and Graphite Products in East Stroudsburg Borough, **Monroe County**. The sources consist of kilns, mixers and bake ovens. The control devices are baghouses and afterburners on the bake ovens. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. This is a renewal of the State-Only Natural Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

**40-00101: Pennsy Supply Inc., Pittston West Quarry** (1001 Paxton Street, Harrisburg, PA 17104-3331) on September 28, 2015 for operation of a drum mix asphalt plant and stone manufacturing facility in Jenkins Township, **Luzerne County**. The sources consist of feed bins, screens, belts, and conveyors. The control devices are baghouses and a cyclone. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. This is a renewal of the State-Only Synthetic Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**14-00031: Glenn O Hawbaker Inc.** (711 East College Avenue Bellefonte, PA 16832) on September 29, 2015 issued a renewal state only operating permit for their Sandy Ridge Quarry in Rush Township, **Centre County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-5226*

**65-00865: DNP Imagingcomm America Corporation** (1001 Technology Drive, Mt. Pleasant, PA 15666) on October 1, 2015 a State Only Operating Permit (SOOP) to DNP Imagingcomm America Corporation to authorize the continued operation of their thermal transfer ribbons manufacturing plant located in Mount Pleasant, East Huntingdon Township, **Westmoreland County**.

**03-00182: Peoples Natural Gas Company** (1201 Pitt St., Pittsburgh, PA, 15221) On September 30, 2015 the Department issued a renewal Natural Minor State Only operating permit for the operation of an Ajax 600 bhp natural gas-fired stationary reciprocating internal combustion compressor engine, a 66 bhp natural gas-fired emergency generator engine, and fugitive VOC emissions at the Fisher Compressor Station in Redbank Township, **Armstrong County**. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121–145. The proposed Operating Permit contains applicable emission limits as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**25-00037: Joseph McCormick Construction Company Inc. Wesleyville Plant** (1507 Wesley Avenue, Erie, PA 16510-1675) on September 30, 2015 for a renewal of the Synthetic Minor Permit to operate a hot mix asphalt plant located in Wesleyville Borough, **Erie County**. The emitting sources are a batch asphalt plant with dryer, material conveyors, and a baghouse. This facility is a Synthetic Minor because the facility took a restriction on production of hot mix asphalt (HMA) of less than or equal to 480,000 tons to avoid the Title V status (based on the AP-42 emission factor of 0.4 lb/ton from Table 11.1-5, the CO emissions would be 96 TPY). The actual emissions of pollutants submitted by the facility for the 2014 emission

inventory are CO: 1.38 Ton per year (TPY), NO<sub>x</sub>: 0.5262 TPY, PM<sub>10</sub>: 0.1250 TPY, PM<sub>2.5</sub>: 0.0937 TPY, SO<sub>x</sub>: 0.0099 TPY, VOC: 0.2662 TPY, CO<sub>2</sub>: 1973.46 TPY.

**25-01039: Glunt Funeral Home and Crematory, Inc.**, (210 Erie Street, Edinboro, PA 16412). On October 1, 2015 the Department issued a Natural Minor Operating Permit for the crematory operations at this facility located in the City of Edinboro, **Erie County**.

This permit issuance incorporates Plan Approval Number 25-1039A which authorized the installation of a human remains crematory. All applicable requirements from that plan approval have been incorporated into this proposed operating permit.

Potential emissions from this facility are as follows: Particulate Matter = 0.98 TPY (tons per year), CO = 1.40 TPY, NO<sub>x</sub> = 0.42 TPY, VOC = 0.42 TPY, and SO<sub>2</sub> = 0.35 TPY.

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### **Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

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*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**GP5-17-18A: EQT Production Company** (625 Liberty Ave, Suite 1700, Pittsburgh, PA 15222) on September 1, 2015, terminated the General Permit (BAQ-GPA/GP-5), issued for a 145 bhp Caterpillar G3306NA engine and associated three-way catalyst, one 2,100 gallon produced water tank, a 500 gallon lube oil tank, and associated facility fugitive emissions at the Tyler Compressor Station located in Huston Township, **Clearfield County** due to the facility qualifying for an exemption from operating permit requirements. The general permit is terminated.

**GP5-08-294B: Chesapeake Energy Corporation** (414 Summers Street, Charleston, WV 25301), terminated General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) on October 1, 2015, for their May BRA Pad site located in Granville Township, **Bradford County**. The facility emits all air contaminants below the exemption emission thresholds.

## **ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1–1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301–3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51–30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1–1406.20a).** The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001–4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1–693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101–6018.1002).

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*Coal Permits Issued*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**30841320 and NPDES No. PA0213861. Dana Mining Company of PA, LLC**, (308 Dents Run Road, Morgantown, WV 26501). To renew the permit for the Dooley Run Mine in Dunkard Township, **Greene County**. No additional discharges. The application was considered administratively complete on September 28, 2010. Application received June 28, 2010. Permit issued September 24, 2015.

**56841603 and NPDES No. PA0588504. PBS Coals, Inc.**, (PO Box 260, Friedens, PA 15541). To renew the permit for the Shade Creek Prep Plant in Shade Township, **Somerset County**. No additional discharge. The application was considered administratively complete on February 28, 2012. Application received May 16, 2011. Permit issued September 24, 2015.

**11051301 and NPDES No. PA0235652. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Cresson Mine in Cresson Township, **Cambria County** and related NPDES permit from AMFIRE Mining Company, LLC to Rosebud Mining Company. No additional discharges. The application was considered administratively complete on March 4, 2015. Application received December 31, 2014. Permit issued September 29, 2015.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**Permit No. 56090101 and NPDES No. PA0262714. Heritage Coal & Natural Resources, LLC**, 184 W. Mud Pike Road, Rockwood, PA 15557, transfer of an existing bituminous surface mine from Elk Lick Township, **Somerset County**, affecting 173 acres. Receiving streams: unnamed tributary to and Casselman River, unnamed tributaries to Piney Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: July 10, 2015. Permit issued: September 30, 2015.

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**16140109 and NPDES Permit No. PA0259594. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127) Commencement, operation and restoration of a bituminous surface mine and associated NPDES permit in Washington Township, **Clarion County**, affecting 58.0 acres. Receiving streams: Unnamed tributaries to East Sandy Creek. This application also includes a post-mining land use change from forestland to pastureland/land occasionally cut for hay on the Weaver Holdings, LLC property. Application received: April 13, 2015. Permit Issued: September 29, 2015.

**33100105. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767) Renewal of an existing bituminous surface and auger mine in Perry Township, **Jefferson County**, affecting 139.8 acres. Receiving streams: Unnamed tributaries to Big Run and Big Run. This renewal is issued for reclamation only. Application received: August 12, 2015. Permit Issued: October 1, 2015.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**17980115 and NPDES PA 0238074. Junior Coal Contracting, Inc.** (2330 Six Mile Road, Philipsburg, PA 16866). Renewal of an existing bituminous surface and

auger mine located in Decatur and Woodward Townships, **Clearfield County** affecting 60.5 acres. Receiving streams: Unnamed Tributary to Beaver Run and Beaver Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: September 30, 2014. Permit issued: September 22, 2015.

*New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500*

**03070101. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Transfer permit issued from AMFIRE Mining Co., LLC for continued reclamation only activities to an existing bituminous surface mine, located in Burrell Township, **Armstrong County**, affecting 120.1 acres. Receiving streams: unnamed tributaries to Crooked Creek. Transfer application received: December 31, 2014. Renewal permit issued: September 29, 2015.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**Permit No. 54763207R6. Gilberton Coal Company**, (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Mahanoy Township, **Schuylkill County** affecting 25.9 acres, receiving stream: North Mahanoy Creek. Application received: May 14, 2015. Renewal issued: September 30, 2015.

**Permit No. 54763207GP104. Gilberton Coal Company**, (10 Gilberton Road, Gilberton, PA 17934), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54763207 in Mahanoy Township, **Schuylkill County**, receiving stream: North Mahanoy Creek. Application received: May 14, 2015. Permit issued: September 30, 2015.

*Noncoal Permits Issued*

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**20050802. Shain Bowers** (14872 Mackeyhill Road, Waterford, PA 16441). Final bond release for a small industrial minerals surface mine in Rockdale Township, **Crawford County**. Restoration of 5.0 acres completed. Receiving streams: Unnamed tributary to Kelly Run. Application Received: August 14, 2015. Final bond release approved: September 29, 2015.

## ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

*Blasting Permits Issued*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**Permit No. 36154139. Maine Drilling & Blasting Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Weatherburn Commons East Meadows in Manheim Township, **Lancaster County** with an expiration date of September 23, 2016. Permit issued: September 30, 2015.

**Permit No. 36154140. M & J Explosives, LLC**, (P. O. Box 1248, Carlisle, PA 17013), construction blasting for

Strasburg Commons in Strasburg Borough in **Lancaster County** with an expiration date of September 24, 2016. Permit issued: September 30, 2015.

**Permit No. 38154125. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Curt Zimmerman Chicken House in Jackson Township, **Lebanon County** with an expiration date of December 31, 2015. Permit issued: September 30, 2015.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E51-268. Philadelphia Water Department**, 1101 Market Street, 4th floor, Aramark Tower, Philadelphia, PA 19107-2934, City and County of Philadelphia, ACOE Philadelphia District.

To construct and maintain upgrades to Pier 264 North Emergency Intake Gate House. A Temporary coffer dam will be constructed in the Delaware River for safe access to the gate house to restore the structure and replace mechanical components. Additionally, a sub-aqueous bulkhead with associated rip-rap slope protection will be constructed from the gate house to the Raw Water Basin Dividing Dike.

The site is located at 8401 State Road, Philadelphia, PA 19136 (USGS Quadrangles, Frankford, PA and Beverly, NJ), Latitude 40.034432, Longitude 74.998908.

The issuance of this permit also constitutes approval of a Water quality Certification under Section 401 of the Federal water Pollution Control Act (33 U.S.C.A. § 134(a)).

*District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA*

**E4129-094: Anadarko Marcellus Midstream, LLC**, 33 West Third Street, Suite 200, Williamsport, PA 17701, Pine Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) two 6-inch gas pipelines, one 12-inch water pipeline, two 6-inch water pipelines, a fiber optic/electric line, and a timber mat bridge impacting 42 linear feet of Fourmile Run (EV) and 247 square feet of adjacent palustrine emergent (PEM) wetland (English Center, PA Quadrangle 41°29'53"N 77°16'49"W);

2) two 6-inch gas pipelines, one 12-inch water pipeline, two 6-inch water pipelines, a fiber optic/electric line, and a timber mat bridge impacting 188 square feet of palustrine emergent (PEM) wetland (English Center, PA Quadrangle 41°29'53"N 77°16'50"W);

3) two 6-inch gas pipelines, one 12-inch water pipeline, two 6-inch water pipelines, a fiber optic/electric line, and a timber mat bridge impacting 95 square feet of palustrine emergent (PEM) wetland (English Center, PA Quadrangle 41°29'53"N 77°16'56"W);

4) two 6-inch gas pipelines, one 12-inch water pipeline, two 6-inch water pipelines, a fiber optic/electric line, and a timber mat bridge impacting 42 linear feet of Bonnell Run (EV) and 711 square feet of adjacent palustrine emergent (PEM) wetland (English Center, PA Quadrangle 41°29'43"N 77°17'28"W);

5) two 6-inch gas pipelines, one 12-inch water pipeline, two 6-inch water pipelines, a fiber optic/electric line, and a timber mat bridge impacting 937 square feet of palustrine forested (PFO) wetland (English Center, PA Quadrangle 41°29'41"N 77°17'31"W);

6) two 6-inch gas pipelines, one 12-inch water pipeline, two 6-inch water pipelines, a fiber optic/electric line, and a timber mat bridge impacting 400 square feet of palustrine emergent (PEM) wetland (English Center, PA Quadrangle 41°27'46"N 77°17'25"W).

The project will result in a total of 0.06 acre of wetland impacts and 84 linear feet of stream impacts all for the purpose of installing water line, natural gas gathering line, and access roadway to natural gas well sites for Marcellus well development.



**E1229-003: NFG Midstream Clermont, LLC**, 6363 Main Street, Williamsville, NY 14221, Shippen Township, **Cameron County**, ACOE Baltimore District.

To construct, operate and maintain the Clermont Phase 2 North East (C08-Q) Project, which consists of one 6-inch steel natural gas pipeline, with the following impacts:

1. 44.0 linear feet of a UNT to Six and One Half Mille Hollow (EV, CWF) and 309 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Rich Valley, PA Quadrangle, Latitude: N41°36'38.29", Longitude: W78°19'52.23"); and

2. 42.0 linear feet of a UNT to Six and One Half Mile Hollow (EV, CWF) via open cut trenching and a temporary road crossing (Rich Valley, PA Quadrangle, Latitude: N41°36'38.89", Longitude: W78°19'52.55").

The project will result in 86.0 linear feet of temporary stream impacts, and 309 square feet (0.01 acre) of temporary EV PEM wetland impacts all for the purpose of installing a natural gas pipeline and associated access roadways for Marcellus shale development.

#### ENVIRONMENTAL ASSESSMENTS

*Southwest Region: Watershed Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**EA65-008. Army Corps of Engineers Pittsburgh District**, 1000 Liberty Avenue, Room 2100, Pittsburgh, PA 15222; Loyalhanna Township, **Westmoreland County**, ACOE Pittsburgh District.

Is proposing to construct and maintain a 25 ft x 25 ft concrete pad with associated retaining wall within the Loyalhanna Lake (WWF);

For the purpose of creating a workpad, to facilitate the future replacement of the service bridge, at the Loyalhanna Dam, at the Bush Recreation Area, in Loyalhanna Township, Westmoreland County, PA (Quadrangle: Saltsburg, PA Lat: 40° 26' 19"; Long: -79° 26' 11"; Sub-basin: 18C). The project will permanently impact 0.01 ac. of the Loyalhanna Lake and will temporarily impact 0.04 ac. of the Loyalhanna Lake.

*Cambria District: Contact Person: Patrick M. Webb, 286 Industrial Park Road, Ebensburg, PA 15931-4119.*

**EA1009-018. Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Washington Township, **Butler County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 1,700 linear feet of dangerous highwall with adjacent spoil material. The project will also include the backfilling of 0.57 acre of PEM wetlands that have developed within the open surface mine pits, of which 0.02 acre is acid mine drainage impacted, the remaining 0.55 acre will require mitigation. (Hilliards Quadrangle 41° 4' 51" N, 79° 51' 59" W)

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be

sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-2 # ESX12-117-0031(04)

Applicant Name PVR Marcellus Gas Gathering, LLC

Contact Person Kevin Roberts

Address 101 West Third Street

City, State, Zip Williamsport, PA 17701

County Lycoming, Tioga & Bradford

Township(s) Jackson, Liberty, Union & Canton Twps

Receiving Stream(s) and Classification(s) UNT Roaring Branch, Roaring Branch, Little Elk Run, UNT Brion Creek, Brion Creek, UNT Salt Spring Run, Salt Spring Run, French Lick Run, UNT French Lick Run, West Mill Creek, Mill Creek, Sugar Works Run, UNT Lycoming Creek, Towanda Creek (HQ, EV, CWF)

ESCGP-2 # ESG29-117-15-0025

Applicant Name HEP Tioga Gathering, LLC

Contact Person Kevin Williams

Address 512 Towne Plaza, Ste 120, Route 6

City, State, Zip Tunkhannock, PA 18657

County Tioga & Lycoming

Township(s) Liberty & Jackson Twps

Receiving Stream(s) and Classification(s) Zimmerman Creek (HQ), Blacks Creek, Blockhouse Creek, UNTs & UNT to Roaring Branch (EV); All CWF  
Secondary—Lycoming Creek, Pine Creek

ESCGP-2 # ESG29-113-15-0008

Applicant Name Regency Marcellus Gas Gathering, LLC

Contact Person Kevin Roberts

Address 101 West Third St.

City, State, Zip Williamsport, PA 17701

County Sullivan

Township(s) Shrewsbury Twp

Receiving Stream(s) and Classification(s) UNT to Rock Run (EV), UNT to Trout Run (EV), UNT to Spring Run (EV)

Secondary—Muncy Creek (TSF)

ESCGP-2 # ESG29-113-15-0007

Applicant Name Chief Oil & Gas LLC

Contact Person Jeffrey Deegan

Address 6051 Wallace Road, Ext, Suite 300

City, State, Zip Wexford, PA 15090

County Sullivan

Township(s) Elkland Twp

Receiving Stream(s) and Classification(s) UNT to Mill Creek (EV, CWF)  
Secondary—Mill Creek (CWF/EV)

ESCGP-2 # ESX10-105-0027

Applicant Name Triana Energy LLC  
Contact Person Walter Showen III  
Address 900 Virginia Street East  
City, State, Zip Charleston, WV 25301  
County Potter  
Township(s) Hebron Twp

Receiving Stream(s) and Classification(s) UNT of Fishing Creek (CWF), Fishing Creek (CWF)  
Secondary—UNT of Fishing Creek (CWF), Fishing Creek (CWF)

ESCGP-2 # ESX10-081-0049(01)

Applicant Name Anadarko E&P Onshore, LLC  
Contact Person Rane Wilson  
Address 33 West Third St., Suite 200  
City, State, Zip Williamsport, PA 17701  
County Lycoming  
Township(s) Cogan House Twp  
Receiving Stream(s) and Classification(s) Flicks Run (EV) & UNT Larry's Creek (HQ, CWF)  
Secondary—Blockhouse Creek (EV) & Larry's Creek (HQ, CWF)

ESCGP-2 # ESX10-117-0145(01)

Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 2100 Georgetown Drive, Suite 400  
City, State, Zip Sewickley, PA 15143  
County Tioga  
Township(s) Charleston Twp  
Receiving Stream(s) and Classification(s) Babb Creek and UNT (EV, CWF)  
Secondary—Pine Creek

ESCGP-2 # ESX11-115-0096(01)

Applicant Name Carrizo Marcellus, LLC  
Contact Person Gary Byron  
Address 251 Drain Lick Road  
City, State, Zip Drifting, PA 16834  
County Susquehanna  
Township(s) Bridgewater Twp  
Receiving Stream(s) and Classification(s) Beebe Creek (CWF)

ESCGP-2 # ESX11-115-0118(01)

Applicant Name Carrizo Marcellus, LLC  
Contact Person Gary Byron  
Address 251 Drain Lick Road  
City, State, Zip Drifting, PA 16834  
County Susquehanna  
Township(s) Forest Lake and Bridgewater Twps  
Receiving Stream(s) and Classification(s) 2 UNT to Forest Lake Creek (CWF), UNT to Beebe Creek (CWF)

ESCGP-2 # ESX29-115-15-0029

Applicant Name Williams Field Services Company, LLC  
Contact Person Lauren Miladinovich  
Address Park Place Corporate Center 2, 2000 Commerce Drive  
City, State, Zip Pittsburgh, PA 15275  
County Susquehanna  
Township(s) Springville Twp  
Receiving Stream(s) and Classification(s) UNTs to Pond Brook and Pond Brook (CWF), Upper Susquehanna-Tunkhannock Watershed  
Secondary—Tunkhannock Creek

ESCGP-2 # ESG29-117-15-0026

Applicant Name SWN Production Company, LLC  
Contact Person Jeff Whitehair  
Address 917 State Route 92 North  
City, State, Zip Tunkhannock, PA 18657  
County Tioga  
Township(s) Morris Twp  
Receiving Stream(s) and Classification(s) Harrison Run (CWF, EV, NRT)  
Secondary—Babb Creek (CWF, EV, NRT)

ESCGP-2 # ESX11-115-0090(01)

Applicant Name Carrizo Marcellus, LLC  
Contact Person Gary Byron  
Address 251 Drain Lick Road  
City, State, Zip Drifting, PA 16834  
County Susquehanna  
Township(s) Silver Lake Twp  
Receiving Stream(s) and Classification(s) Silver Creek, UNT to Silver Creek, 2 UNT to Fall Brook  
Secondary—Susquehanna River

ESCGP-2 # ESX29-117-15-0030

Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 2100 Georgetown Drive, Suite 400  
City, State, Zip Sewickley, PA 15143  
County Tioga  
Township(s) Chatham Twp  
Receiving Stream(s) and Classification(s) UNT to Losey Creek  
Secondary—Crooked Creek

ESCGP-2 # ESX29-115-15-0035

Applicant Name Cabot Oil & Gas Corporation  
Contact Person Kenneth Marcum  
Address 2000 Park Lane, Suite 300  
City, State, Zip Pittsburgh, PA 15275  
County Susquehanna  
Township(s) Gibson Twp  
Receiving Stream(s) and Classification(s) Bell Creek, UNT to Butler Creek  
Secondary—Butler Creek

ESCGP-2 # ESX10-117-0269(01)

Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 2100 Georgetown Drive, Suite 400  
City, State, Zip Sewickley, PA 15143  
County Tioga  
Township(s) Charleston Twp  
Receiving Stream(s) and Classification(s) Babb Creek (EV, CWF)  
Secondary—Pine Creek

ESCGP-2 # ESG29-117-15-0027

Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 2100 Georgetown Drive, Suite 400  
City, State, Zip Sewickley, PA 15143  
County Tioga  
Township(s) Charleston Twp  
Receiving Stream(s) and Classification(s) UNT to Sand Run (EV-CWF)  
Secondary—Sand Run

*Southcentral Region: Waterways & Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Dauphin County Conservation District: 1451 Peters Mountain Road, Dauphin, PA 17018, 717-921-8100*



<i>ESCP No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESP032214001 Issued	Pennsylvania Department of Transportation Engineering District 8-0 2140 Herr Street Harrisburg, PA 17103-1699	Dauphin	Lower Swatara and Londonderry Townships	Laurel Run (WWF) UNT Susquehanna River (WWF) UNT Laurel Run (WWF) UNT Swatara Creek (WWF) Iron Run (WWF) UNT Iron Run (WWF)

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## SPECIAL NOTICES

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### Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of September 2015 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. Sections 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
AccuStar Labs	11 Awl St. Medway, MA 02053	Laboratory Analysis
Airottox	101 S. Broad St., Ste. 100 Lansdale, PA 19446	Mitigation
Jenny Ashburn	3296 Tarr Hollow Rd. Murrysville, PA 15668	Testing
George Basista, Sr.	7501 E. Parkside Dr. Boardman, OH 44512	Testing
Bill Brodhead WPB Enterprises, Inc.	2844 Slifer Valley Rd. Riegelsville, PA 18077	Mitigation
Simon Eberhart	485 E. College Ave. Pleasant Gap, PA 16823	Testing & Mitigation
Laura Ann Freeman	200 Route 130 N Cinnaminson, NJ 08077	Laboratory Analysis
David Gunselman	4 Theresa Dr. Conestoga, PA 17522	Testing
Travis Hammond	95 Jamie Ln. Montoursville, PA 17754	Testing
Thomas Helenski	191 Hughes Rd. King of Prussia, PA 19406	Testing
Fred Hohman	26 Windihill Dr. Greensburg, PA 15601	Testing
Robert Johnson	340 Freed Rd. Harleysville, PA 19438	Testing
David Kapturowski	929 Mt. Zion Rd. Lebanon, PA 17046	Laboratory Analysis
Fred Klein	702 Manchester Dr. Maple Glen, PA 19002	Testing
Benjamin Mangus	13520 Smith Cemetery Rd. Meadville, PA 16335	Testing
Valerie Matteo	462 Biddle Ave. Pittsburgh, PA 15221	Testing
Thomas Murray	5149 Henderson Rd., Lot 49 Erie, PA 16509	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Wayne Murray	63 Bethesda Church Rd., E. Holtwood, PA 17532	Testing
Timothy Musser	213 N. 14th St. Allentown, PA 18102	Mitigation
Penoco, Inc.	485 E. College Ave. Pleasant Gap, PA 16823	Mitigation
Prosser Laboratories	PO Box 118 Effort, PA 18330	Laboratory Analysis
Radon Technology and Environmental	828 Oak St. Royersford, PA 19468	Mitigation
Jooik, Ro	30 Sunset Dr. Carlisle, PA 17013	Testing
David Scott	417 Pikeland Ave. Spring City, PA 19475	Testing & Mitigation
Dale Thorson Premier Termite & Pest Control	800 Antietam Dr. Douglassville, PA 19518	Mitigation
Jacob Troost	PO Box 163 Brodheads ville, PA 18322	Testing

**Public Notice of First Amendment to Consent  
Order and Agreement**

**Rosebud Mining Company and St. Michael  
Land Company**

**St. Michael Abandoned Mine Drainage  
Treatment Facility,  
Adams Township, Cambria County**

*California District Office: 25 Technology Drive, Coal  
Center, PA 15423, 724-769-1100*

The Department of Environmental Protection, Rosebud Mining Company ("Rosebud") and St. Michael Land Company, Inc., ("SMLC") have entered into a First Amendment to the December 5, 2012 Consent Order and Agreement between those parties.

On December 5, 2012, the Department, Rosebud, and SMLC entered into a Consent Order and Agreement ("2012 COA") in which Rosebud agreed to finance, construct, and operate a treatment facility ("St. Michael Treatment Facility") to treat, inter alia, previously untreated abandoned mine discharges from a large underground mine pool known as the Berwind Mine Pool for which neither Rosebud nor SMLC had any legal obligation to treat but which allowed Rosebud to mine additional coal reserves at Rosebud's Mine 78 in Paint Township, Cambria County.

Since that time, Rosebud has constructed and tested the St. Michael Treatment Facility and is now operating it; commenced Active Mining Operations consistent with the provisions of the 2012 COA and Rosebud's Coal Mining Activity Permit ("CMAP") No. 56841328; and signed the Participation Agreement and made the initial One Million Dollar (\$1,000,000) payment into the Trust.

There are additional coal reserves in the Upper Freeport coal seam at Mine 78 that could potentially be mined in the future if Rosebud applies for and the Department approves a modification, renewal or revision to CMAP No. 56841328 to authorize such mining.

Rosebud has asked, and the Department has agreed, to modify the 2012 COA to include the Upper Freeport coal seam to ensure that the liability limitations in the 2012

COA apply to Rosebud's mining of the Upper Freeport coal seam at Mine 78.

Copies of the full amendment are in the hands of California District Mining Office, 25 Technology Drive, California Technology Park, Coal Center, PA 15423, Phone 724-769-1100. The amendment may be reviewed by any interested party on request during normal business hours.

[Pa.B. Doc. No. 15-1836. Filed for public inspection October 16, 2015, 9:00 a.m.]

**Agricultural Advisory Board Meeting Cancellation**

The Agricultural Advisory Board meeting scheduled for October 21, 2015, has been cancelled. The next meeting is scheduled for December 16, 2015, at 9 a.m. in Susquehanna Room A, Department of Environmental Protection, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110.

Questions concerning the cancellation of the October 21, 2015, meeting or the December 16, 2015, meeting should be directed to Tom Juengst, Bureau of Conservation and Restoration, (717) 783-7577, [tjuengt@pa.gov](mailto:tjuengt@pa.gov). The agenda and materials for the December 16, 2015, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keyword: Participate).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 787-7019 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 15-1837. Filed for public inspection October 16, 2015, 9:00 a.m.]

### Certification Program Advisory Committee Meeting

The Certification Program Advisory Committee will meet on Thursday, November 5, 2015, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Questions concerning the meeting can be directed to Cheri Sansoni, (717) 772-5158, csansoni@pa.gov. The agenda and meeting material for this meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword: Participate).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Cheri Sansoni at (717) 772-5158 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,  
Secretary

[Pa.B. Doc. No. 15-1838. Filed for public inspection October 16, 2015, 9:00 a.m.]

### Citizens Advisory Council Meeting Cancellation

The October 20, 2015, meeting of the Citizens Advisory Council (Council) to the Department of Environmental Protection (Department) is cancelled. The next regularly scheduled meeting of the Council will be held on Tuesday, November 17, 2015, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

The agenda and meeting materials for the November 17, 2015, meeting will be available on the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (select "Public Participation Center," then "Citizens Advisory Council," then "Meetings").

Questions concerning the Council's next scheduled meeting may be directed to Michele Tate, (717) 787-8171, mtate@pa.gov.

JOHN QUIGLEY,  
Secretary

[Pa.B. Doc. No. 15-1839. Filed for public inspection October 16, 2015, 9:00 a.m.]

### Public Notice of Draft NPDES General Permit for Stormwater Discharges Associated with Industrial Activity (PAG-03)

The Department of Environmental Protection (Department) is announcing the availability of a draft National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Industrial Activity (PAG-03). The draft General Permit and related documents are available on the Department's eLibrary at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us) (select "Permit and Authorization Packages," then "Point and Non-Point Source Management," then "National Pollutant Discharge Elimination System—NPDES," then "General Permits," then "PAG-03 (Draft)").

The PAG-03 General Permit is intended to provide NPDES permit coverage to persons discharging stormwater associated with industrial activity to waters of the Commonwealth that are not considered High

Quality or Exceptional Value. The existing PAG-03 General Permit in effect at this time will expire on December 5, 2015. The Department is planning to publish notice of an extension to the PAG-03 General Permit in the *Pennsylvania Bulletin* on or before that date.

The draft PAG-03 General Permit includes the following proposed significant changes in comparison to the existing PAG-03 General Permit:

- In general, the Department has attempted to make the PAG-03 General Permit more consistent with the United States Environmental Protection Agency's (EPA) National multisector general permit for stormwater associated with industrial activity, which was reissued in 2015.

- The Department is proposing the addition of nine appendices to PAG-03. The current version of PAG-03 consolidates numerous sectors into Appendix A and Appendix J, while the draft PAG-03 creates new appendices for many of those sectors. An appendix prescribes the sector-specific monitoring and best management practice requirements for permittees.

- The Department is proposing to reorganize appendices and eliminate one appendix, for coal storage pile runoff, because the Department's regulation in 25 Pa. Code § 92a.54(e)(5) (relating to general permits) does not allow the Department to issue general permit coverage to facilities with categorical effluent limitations published by the EPA. In addition, Appendix A, specific to facilities subject to SARA Title III, Section 313 requirements, has been eliminated and the industrial sectors assigned to other appendices because the Department has determined there is no greater risk for stormwater pollution for SARA Title III, Section 313 facilities.

- The Department is proposing new eligibility criteria in the draft PAG-03. For instance, the Department may deny coverage under the draft PAG-03 General Permit for stormwater discharges to impaired waters where the discharges contain or are expected to contain parameters that have the potential to cause or contribute to the impairment, regardless of whether a Total Maximum Daily Load has been developed and approved for those impaired waters.

- Benchmark concentrations for certain pollutants are proposed in the draft PAG-03. The benchmarks are not effluent limitations. However, two consecutive benchmark exceedances would trigger the need to develop and submit a corrective action plan to the Department and implement corrective measures to ensure no additional benchmark exceedances.

- All permittees would need to conduct quarterly visual inspections of areas and activities exposed or potentially exposed to precipitation, and submit a summary of inspection findings in an annual report due by May 1 each year.

- Monitoring frequency has been standardized for all permittees to once every 6 months.

- All permittees would be required to submit an annual report due on May 1 that would serve as the ongoing notice of intent to continue operating under PAG-03.

- Persons seeking new or reissued No Exposure Certification approvals from the Department would need to complete and submit the PAG-03 Notice of Intent (NOI).

The proposed NOI fee for coverage under this General Permit is \$500 per year the permittee operates under the General Permit. The NOI fee will be paid in installments due at the time the annual report is due, with the initial fee of \$500 submitted with the NOI for permit coverage and an installment of \$500 to be submitted with the

annual report, if the permittee does not wish to terminate permit coverage. The Department anticipates that after coverage under the General Permit is authorized, coverage will continue without the need to submit an NOI for renewal of coverage as long as the PAG-03 General Permit is renewed, unless the Department specifically requires the submission of an NOI in writing. The proposed fee for new or reissued No Exposure Certification approvals is \$500 (no installments).

#### *Written Comments*

The Department is seeking comments on the draft PAG-03 General Permit (3850-PM-BPNPSM0083) and accompanying documents for 30 days. Interested persons may submit written comments by Monday, November 16, 2015. Comments submitted by facsimile will not be accepted. Commentators are encouraged to submit comments using the Department's online eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can also be submitted to the Department of Environmental Protection, Bureau of Point and Non-Point Source Management, Rachel Carson State Office Building, P. O. Box 8774, Harrisburg, PA 17105-8774.

Written comments submitted during the 30-day comment period will be retained by the Department and considered in finalizing the General Permit. The Department will provide an opportunity for any interested person or group of persons, any affected state, any affected interstate agency, the EPA or any interested agency to request or petition for a public hearing with respect to the proposed General Permit. The request or petition for public hearing, which must be filed within the 30-day period allowed for filing of written comments, must indicate the interest of the party filing the request and the reasons why a hearing is warranted. A hearing will be held if there is significant public interest.

#### *Contact*

Questions regarding the draft PAG-03 General Permit for Stormwater Discharges Associated with Industrial Activity should be directed to Andrew Gaul, PE, (717) 787-0129, [agaul@pa.gov](mailto:agaul@pa.gov).

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 15-1840. Filed for public inspection October 16, 2015, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facility (ASF) has filed a request for exception under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following request for exception relates to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation</i>
Geisinger Gray's Woods Outpatient Surgery and Endoscopy Center	28 Pa. Code § 551.21(d) (relating to criteria for ambulatory surgery)

The request previously listed is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov). Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 15-1841. Filed for public inspection October 16, 2015, 9:00 a.m.]

### Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). Department regulations governing hospital licensure can be found in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals). The following hospitals are requesting exceptions to 28 Pa. Code § 153.1 (relating to minimum standards) which contains minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Abington Memorial Hospital	2.6-2.2.2.2(1)	space requirements—area	2014
	2.6-2.2.2.5	hand-washing stations	2014
Aria Health	2.2-3.4.5.4	patient toilet rooms	2014
Uniontown Hospital	2.1-8.5.3.2	Size—technology distribution rooms (TDRs)	2014
	2.2-2.6.8.1	family and visitor lounges	2014



All requests previously listed are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 15-1842. Filed for public inspection October 16, 2015, 9:00 a.m.]

### **Pennsylvania Achieving Better Care by Monitoring All Prescriptions Meeting Cancellation**

The Pennsylvania Achieving Better Care by Monitoring All Prescriptions meeting scheduled for Tuesday, October 20, 2015, at 9:30 a.m. in Room 129, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120 has been cancelled. The next scheduled meeting will be held on Tuesday, November 17, 2015, from 9:30 a.m. to 10:30 a.m. in Room 129, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Kimberly Buffington, Department of Health, Room 129, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 787-9857, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT) for speech and/or hearing impaired persons.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 15-1843. Filed for public inspection October 16, 2015, 9:00 a.m.]

### **Reporting Requirements under the Sexual Assault Testing and Evidence Collection Act**

On July 10, 2015, Governor Tom Wolf signed Act 27 (P.L. 142, No. 27) which amended the Sexual Assault Testing and Evidence Collection Act (35 P.S. §§ 10172.1—10172.5) (act). Under section 3(c)(1) and (3) of the act, local law enforcement agencies have responsibility to take possession of the sexual assault evidence collected by health care facilities for sexual assaults reported to have occurred in the agency's jurisdiction and, upon receipt of consent from the victim, to submit the evidence awaiting testing to a laboratory approved by the Department of Health (Department) for testing or analysis.

The act requires local law enforcement agencies and testing laboratories to submit certain reports to the Department, in a form and manner prescribed by the Department, regarding the status of laboratory testing of sexual assault evidence. The act requires initial reporting by local law enforcement agencies of sexual assault evidence awaiting testing and by laboratories of sexual assault evidence submitted for testing but not yet analyzed by the laboratory, collectively referred to as "inventory." See section 3(d) of the act. Section 3(e) of the act requires annual reporting by both entities of sexual

assault evidence that is awaiting testing for 12 months or more, or "backlogged evidence."

This notice provides the form and manner for local law enforcement agencies and testing laboratories to submit the required reports regarding inventory and backlogged evidence to the Department, and the applicable time frames for reporting.

#### *Availability of Forms for the Submission of Reports*

Standardized forms for both the initial reporting of inventory awaiting testing or not yet analyzed and annual reporting of backlogged evidence will be available on the Bureau of Laboratories' web site at [www.health.pa.gov/labs](http://www.health.pa.gov/labs). Local law enforcement agencies and testing laboratories also may contact the Bureau of Laboratories for a hard copy of either form.

#### *Applicable Dates for Preparation and Submission of Initial Reports*

Initial reports by local law enforcement agencies and approved laboratories must include inventory awaiting testing or analysis as of September 7, 2015. Initial reports must be submitted to the Department by Monday, March 7, 2016. If no inventory exists, local law enforcement agencies and laboratories are required to report that information to the Department by March 7, 2016.

#### *Applicable Dates for Preparation and Submission of Annual Reports*

Reports of backlogged evidence must be submitted to the Department annually by January 31. If no backlogged evidence exists, local law enforcement agencies and laboratories are required to annually report that information to the Department by January 31.

#### *Department Contact Person*

Local law enforcement agencies and laboratories shall submit the required information to the Department's Bureau of Laboratories by mail or e-mail (scanned PDF copies) to James R. Lute, PhD, Assistant Bureau Director, Department of Health, Bureau of Laboratories, 110 Pickering Way, Exton, PA 19341-1310, [jlute@pa.gov](mailto:jlute@pa.gov).

Questions may also be addressed to James Lute, PhD, by mail, e-mail or by telephone at (610) 280-3464.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotope, Braille) should contact James Lute, PhD, Department of Health, Bureau of Laboratories, 110 Pickering Way, Exton, PA 19341-1310, (610) 280-3464. Speech or hearing

impaired persons may call by using V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 15-1844. Filed for public inspection October 16, 2015, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Uniform Construction Code Review and Advisory Council Meeting

The Uniform Construction Code Review and Advisory Council will hold a meeting on Wednesday, October 28, 2015, at 10 a.m. at the Department of Labor and Industry, 651 Boas Street, 10th Floor Large Conference Room, Harrisburg, PA 17121.

Additional information concerning the meeting may be found on the Department of Labor and Industry web site at [www.dli.state.pa.us](http://www.dli.state.pa.us). Scroll down and click on the link for "Uniform Construction Code" then "UCC Review and Advisory Council."

Questions concerning this may be directed to Penny Myers at (717) 783-6304.

KATHY MANDERINO,  
*Secretary*

[Pa.B. Doc. No. 15-1845. Filed for public inspection October 16, 2015, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Multimodal Transportation Fund; Invitation to Sub- mit Applications

The Department of Transportation (Department) is providing notice to eligible applicants that it began accepting Multimodal Transportation Fund (Fund) applications for grants provided under 74 Pa.C.S. § 2104(a)(2) (relating to use of money in fund) on October 3, 2015. The deadline for application submittal is December 18, 2015.

Additional information, guidelines and frequently asked questions about the Fund program can be obtained on the Department's web site at [www.penndot.gov](http://www.penndot.gov) (select "Projects & Programs" then "Multimodal Program").

Applications should be submitted electronically through the Department's SharePoint site at <https://spportal.dot.pa.gov/Planning/AppReg/Pages/default.aspx>.

Questions related to the Fund program may be directed to the Department of Transportation, Office of Multimodal Transportation, 400 North Street, 8th Floor, Harrisburg, PA 17120, RA-PDMultimodalFund@pa.gov.

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 15-1846. Filed for public inspection October 16, 2015, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Meeting Cancellation

The October 20, 2015, meeting of the Environmental Quality Board (Board) is cancelled. The next regular meeting of the Board is scheduled for Tuesday, November 17, 2015, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The agenda and meeting materials for the November 17, 2015, meeting will be available on the Department of Environmental Protection's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (select "Public Participation Center," then "Environmental Quality Board," then "EQB Meeting Schedule 2015").

Questions concerning the Board's next scheduled meeting may be directed to Laura Edinger at (717) 783-8727, [ledinger@pa.gov](mailto:ledinger@pa.gov).

JOHN QUIGLEY,  
*Chairperson*

[Pa.B. Doc. No. 15-1847. Filed for public inspection October 16, 2015, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Appeal of Ethel Smith under the Motor Vehicle Financial Responsibility Law; Catastrophic Loss Benefits Continuation Fund; Doc. No. CF15-09- 023

A prehearing telephone conference initiated by the Insurance Department is scheduled for November 19, 2015, at 10 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before November 17, 2015.

A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before November 4, 2015, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before November 18, 2015.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 15-1848. Filed for public inspection October 16, 2015, 9:00 a.m.]

### Bankers Life and Casualty Company (BNLB- 130261229); Rate Increase Filing for Several Individual LTC Forms

Bankers Life and Casualty Company is requesting approval to increase the premium 15% on 1,090 policyholders with the following individual LTC policy form numbers: GR-N520, GR-N530, GR-N540, GR-N550, GR-N570 and GR-N580.

Unless formal administrative action is taken prior to December 31, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Product Notices" from the drop down menu.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 15-1849. Filed for public inspection October 16, 2015, 9:00 a.m.]

#### **Damon Mark Isaac; License Denial; Doc. No. AG15-09-024**

The proceeding in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for November 17, 2015, at 9:30 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before November 13, 2015. A hearing shall occur on December 2, 2015, at 9:30 a.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA.

On or before November 3, 2015, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and addresses of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for that party's case.

Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any listed document not previously supplied and a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of documents and expert reports need not be filed with the Administrative Hearings Office. A party will be precluded at hearing from using a document not listed and supplied unless the use was not reasonably foreseeable. Experts may testify only on matters substantially contemplated by reports supplied to the other party in accordance with this paragraph.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any,

must be filed on or before November 3, 2015, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before November 16, 2015.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 15-1850. Filed for public inspection October 16, 2015, 9:00 a.m.]

#### **Lincoln National Life Insurance Company (TRST-130142771); Rate Increase Filing for Several Individual LTC Forms**

Lincoln National Life Insurance Company is requesting approval to increase the premium 60% on 116 policyholders with the following individual LTC policy form numbers: HL-2500PA, HL-2500AA, HS-2500AA, HS-2500PA, HL-2950PA and HL-2950PAFR.

Unless formal administrative action is taken prior to December 31, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Product Notices" from the drop down menu.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 15-1851. Filed for public inspection October 16, 2015, 9:00 a.m.]

#### **Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held



in the Insurance Department's regional offices in Pittsburgh, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in Room 2018, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Thelma L. Reynolds; file no. 15-116-186573; Rockingham Casualty Company; Doc. No. P15-09-002; November 18, 2015, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 15-1852. Filed for public inspection October 16, 2015, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution No. CB-15-006, Dated September 8, 2015. Authorizes the side letter with AFSCME to modify Rec-

ommendation 19, Salaries and Wages; Recommendation 21, Shift Differential and Recommendation 30, Uniforms, Clothing and Equipment. The resolution also provides for changing SPF Leave to FMLA Leave in Recommendations 17, 18, 24, 25 and 42. The resolution shall be effective July 1, 2014, with the modifications changing SPF Leave to FMLA Leave effective January 1, 2017.

Resolution No. CB-15-007, Dated September 8, 2015. Authorizes the Collective Bargaining Agreement between the Commonwealth of Pennsylvania and the Instructional Non-Tenured Unit (Hiram G. Andrews Center). The Collective Bargaining Agreement provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2015 through June 30, 2016.

Resolution No. CB-15-008, Dated September 22, 2015. Authorizes the Collective Bargaining Agreement between the Commonwealth of Pennsylvania and the PSSU rank and file unit (F1 and F4). The Collective Bargaining Agreement provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2015 through June 30, 2016.

Resolution No. CB-15-009, Dated September 22, 2015. Authorizes the Memorandum of Understanding between the Commonwealth of Pennsylvania and the PSSU first level supervisory unit (F2 & F5). The Memorandum of Understanding provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2015 through June 30, 2016.

Resolution No. CB-15-010, Dated September 22, 2015. Authorizes the Collective Bargaining Agreement between the Commonwealth of Pennsylvania and the Pennsylvania Liquor Enforcement Association, Liquor Law Enforcement Unit. The Collective Bargaining Agreement provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2015 through June 30, 2016.

Resolution No. CB-15-011, Dated September 29, 2015. Authorizes the Memorandum of Understanding between the Commonwealth and the Association of Liquor Enforcement Supervisors Meet and Discuss Unit (K5). The MOU provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2015, through June 30, 2016.

LAURA CAMPBELL,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 15-1853. Filed for public inspection October 16, 2015, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

**Joint Plan of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company for Seamless Moves and Instant Connects; M-2014-2401130, M-2014-2401155, M-2014-2401151 and M-2014-2401148**

#### **Final Order**

The Pennsylvania Public Utility Commission (Commission) on October 1, 2015, entered a Final Order in



response to the Joint Plan of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company for Seamless Moves and Instant Connects (collectively FirstEnergy) (M-2014-2401130, M-2014-2401155, M-2014-2401151 and M-2014-2401148). A copy of the Order can be found on the Commission's web site at [http://www.puc.pa.gov/about\\_puc/consolidated\\_case\\_view.aspx?Docket=M-2014-2401130](http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=M-2014-2401130).

A seamless move is the ability of a customer's choice of supplier to move with the customer to a new address within a single service territory without interruption. Instant connect is the ability of supply service to start on "day one" of new utility service—without the customer first having to go on default service. The Commission approved, with modifications, FirstEnergy's plan filed on April 20, 2015, for implementing seamless moves and instant connects in its four operating companies' service territories by September 30, 2016. The Commission directed FirstEnergy to file with the Commission a revised plan consistent with the Order within 10 days of the entry date of the Order. The Commission also ordered FirstEnergy to file with the Commission for its review and approval tariff supplements consistent with the terms of the Final Order at least 30 days prior to the availability of seamless move and instant connect functions within FirstEnergy's service territory.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-1854. Filed for public inspection October 16, 2015, 9:00 a.m.]

## **PPL Electric Utilities Corporation Plan for Seamless Moves and Instant Connects; M-2014-2401103**

### **Final Order**

The Pennsylvania Public Utility Commission (Commission) on October 1, 2015, entered a Final Order in response to PPL Electric Utilities Corporation Plan for Seamless Moves and Instant Connects (M-2014-2401103). A copy of the Order can be found on the Commission's web site at [http://www.puc.pa.gov/about\\_puc/consolidated\\_case\\_view.aspx?Docket=M-2014-2401103](http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=M-2014-2401103).

A seamless move is the ability of a customer's choice of supplier to move with the customer to a new address within a single service territory without interruption. Instant connect is the ability of supply service to start on "day one" of new utility service—without the customer first having to go on default service. The Commission approved, with modifications, PPL Electric Utilities Corporation's (PPL) plan filed on April 20, 2015, for implementing seamless moves and instant connects in its service territory by September 30, 2016. The Commission directed PPL to file with the Commission a revised plan consistent with the Order within 10 days of the entry date of the Order. The Commission also ordered PPL to file with the Commission, for its review and approval, tariff supplements consistent with the terms of the Final Order at least 30 days prior to the availability of seamless move and instant connect functions within PPL's service territory.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-1855. Filed for public inspection October 16, 2015, 9:00 a.m.]

## **Service of Notice of Motor Carrier Applications**

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by November 2, 2015. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

### **Applications of the following for approval to *begin operating as common carriers for transportation of persons* as described under each application.**

**A-2015-2501696. Lee-Lee Non-Emergency Medical Transportation, LLC** (1503 West Tioga Street, Philadelphia, PA 19140) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

**A-2015-2502654. Leonardo M. Gordon** (560 West Orange Street, Lancaster, Lancaster County, PA 17603) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Lancaster County to Kaolin Mushroom Farms in Kennett Square, PA, and return.

**A-2015-2505658. Keystone Taxi Service, LLC** (13345 Montgomery Lane, Blue Ridge Summit, Franklin County, PA 17214) in call or demand service, in the Townships of Antrim and Washington, and the Boroughs of Greencastle and Waynesboro, Franklin County.

**A-2015-2505755. Nevin Horst** (3912 Oregon Pike, Leola, Lancaster County, PA 17540) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

**A-2015-2506292. Tropiano Bus Company, LLC** (1256 Welsh Road, North Wales, Montgomery County, PA 19454) for the right to transport as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Bucks, Chester, Delaware and Montgomery, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

### **Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights* as described under the application.**

**A-2015-2506370. Phyllis J. Wills** (373 Cannery Road, Somerset, Somerset County, PA 15501) for the right to begin to transport as a common carrier, by motor vehicle, persons upon call or demand, in the County of Somerset;

*Subject to the following condition:* That no right, power or privilege is granted to provide service in that part of Somerset County that is both east of State Route 160 and north of U.S. Highway Route 30; which is to be a transfer of the rights from A-00109753, F.1, Am-A issued to Larry J. Wills (deceased).

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.**

**A-2015-2504883. Friendly Movers, LLC** (351 Spring Street, New Kensington, Westmoreland County, PA 15068) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

**Applications of the following for the approval of the right and privilege to *discontinue/abandon* operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2015-00112942. James A. Panichelli t/a Red & White Taxi Company** (115 State Route 271, Ligonier, PA 15658) for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, authorizing the transportation of persons, in call or demand service, from points in the Borough of Indiana and the Township of White, Indiana County.

**A-2015-2505768. Enos R. Buckwalter** (1001 East Oregon Road, Cottage 60, Lititz, Lancaster County, PA 17543) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania, and return.

**A-2015-2506367. Larry J. Wills** (373 Cannery Road, Somerset, Somerset County, PA 15501) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in paratransit service, between points in the County of Somerset, and from points in said county, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 15-1856. Filed for public inspection October 16, 2015, 9:00 a.m.]

### Service of Notice of Motor Carrier Formal Complaints

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due November 2, 2015, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

### Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Northeast Cartage, LLC; Docket No. C-2015-2499265

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Northeast Cartage, LLC, (respondent) is under suspension effective August 10, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P. O. Box 1474, Kingston, PA 18704.

3. That respondent was issued a Certificate of Public Convenience by this Commission on March 11, 2003, at A-00119531.

4. That respondent has failed to maintain evidence of both Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00119531 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the

statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/26/2015

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of

insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-1857. Filed for public inspection October 16, 2015, 9:00 a.m.]

#### **Telecommunications**

**A-2015-2506016. Cellco Partnership d/b/a Verizon Wireless and Mahanoy and Mahantango Telephone Company and Sugar Valley Telephone Company.** Joint petition of Cellco Partnership d/b/a Verizon Wireless and Mahanoy and Mahantango Telephone Company and Sugar Valley Telephone Company for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Cellco Partnership d/b/a Verizon Wireless and Mahanoy and Mahantango Telephone Company and Sugar Valley Telephone Company, by their counsel, filed on October 1, 2015, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Cellco Partnership d/b/a Verizon Wireless and Mahanoy and Mahantango Telephone Company and Sugar Valley Telephone Company joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-1858. Filed for public inspection October 16, 2015, 9:00 a.m.]



### Telecommunications

**A-2015-2506686. Level 3 Communications, LLC and Palmerton Telephone Company.** Joint petition of Level 3 Communications, LLC and Palmerton Telephone Company for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Level 3 Communications, LLC and Palmerton Telephone Company, by their counsel, filed on October 2, 2015, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Level 3 Communications, LLC and Palmerton Telephone Company joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-1859. Filed for public inspection October 16, 2015, 9:00 a.m.]

### Telecommunications Services

**A-2015-2501596. Level 3 Communications, LLC.** Application of Level 3 Communications, LLC for approval to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territory of Lackawaxen Telephone Company.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, November 2, 2015. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* Level 3 Communications, LLC

*Through and By Counsel:* Bruce Miller, Esq., Cullen and Dykman, LLP, 100 Quentin Roosevelt Boulevard, Garden City, NY 11530-4850

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-1860. Filed for public inspection October 16, 2015, 9:00 a.m.]

## STATE BOARD OF NURSING

**Bureau of Professional and Occupational Affairs v. Brian Amiel Benisrael, RN; File No. 13-51-12725; Doc. No. 1031-51-2014**

On May 21, 2015, Brian Amiel Benisrael, RN, Pennsylvania license no. RN345158L, last known of North Pole, AK, had his license revoked based on findings he pled guilty to three felonies.

Individuals may obtain a copy of the adjudication by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P. O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 15-1861. Filed for public inspection October 16, 2015, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v. Kimberly Ann Breininger, LPN; File No. 14-51-01960; Doc. No. 0630-51-14**

On August 4, 2015, Kimberly Ann Breininger, LPN, license no. PN261307L, last known of Naussau and Milton, DE, received a civil penalty in the amount of \$500 dollars and a public reprimand based on findings she had disciplinary action taken against her by the proper licensing authority of Delaware.

Individuals may obtain a copy of the adjudication by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 15-1862. Filed for public inspection October 16, 2015, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v. Melissa Steinhoff Cassara, RN; File No. 14-51-01919; Doc. No. 0703-51-14**

On July 1, 2015, Melissa Steinhoff Cassara, RN, Pennsylvania license no. RN342436L, last known of Hanahan, SC, was indefinitely suspended and issued a \$500 civil



penalty based on findings she had disciplinary action taken against her license by other states and failed to notify the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P. O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 15-1863. Filed for public inspection October 16, 2015, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
Julia Eastwood Duffey, RN; File No. 13-51-11057;  
Doc. No. 0770-51-2014**

On April 17, 2015, Julia Eastwood Duffey, RN, Pennsylvania license no. RN259849L, last known from Hanahan, SC, was issued a civil penalty of \$500 and indefinitely suspended based on findings she received disciplinary action by the proper licensing authority of another state and failed to report same to the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P. O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 15-1864. Filed for public inspection October 16, 2015, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
Kelly Jo Hughes, RN; File No. 13-51-07539; Doc.  
No. 1312-51-2013**

On April 17, 2015, Kelly Jo Hughes, RN, Pennsylvania license no. RN569596, last known from San Antonio, TX, was issued a civil penalty of \$500 and indefinitely suspended, based on findings she received disciplinary action by the proper licensing authority of another state and failed to report same to the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P. O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 15-1865. Filed for public inspection October 16, 2015, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
Jennifer Lynne Lowrie, LPN; File No. 13-51-  
03020; Doc. No. 0516-51-14**

On July 2, 2015, Jennifer Lynne Lowrie, LPN, Pennsylvania license no. PN279370, last known from Butler, Butler County, was indefinitely suspended retroactive to July 16, 2014, based on findings she is unable to practice nursing with reasonable skill and safety due to dependence upon narcotic drugs and failure to comply with prior order of the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P. O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 15-1866. Filed for public inspection October 16, 2015, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

The following hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

November 4, 2015	George F. Harpster	1 p.m.
	Purchase of Out-of-State	
	Service Credit	

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence

to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

DAVID E. DURBIN,  
*Secretary*

[Pa.B. Doc. No. 15-1867. Filed for public inspection October 16, 2015, 9:00 a.m.]

## STATE REAL ESTATE COMMISSION

**Bureau of Professional and Occupational Affairs v.  
Mark A. Robins; Doc. No. 0252-56-14; File Nos.  
13-56-00312, 13-56-00369, 13-56-01759 and 13-56-  
11182**

On July 29, 2015, the State Real Estate Commission assessed a civil penalty of \$40,000 to Mark A. Robins, license no. RS104701A, of Wayne, Delaware County, based upon engaging in the unlicensed practice of a broker within this Commonwealth.

Individuals may obtain a copy of the final adjudication and order by writing to the Prothonotary, Department of State, P. O. Box 2649, Harrisburg, PA 17105-2649.

JOSEPH TARANTINO,  
*Chairperson*

[Pa.B. Doc. No. 15-1868. Filed for public inspection October 16, 2015, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) approved by rule the following list of projects from July 1, 2015, through July 31, 2015.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

#### *Supplementary Information*

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(f) (relating to standards for consumptive uses of water) for the time period previously specified.

#### *Approvals By Rule Issued Under 18 CFR 806.22(f):*

1. Talisman Energy USA, Inc., Pad ID: Roy 03 039, ABR-20100630.R1, Wells Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 6, 2015.

2. Talisman Energy USA, Inc., Pad ID: Harnish 01 032, ABR-20100647.R1, Canton Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 6, 2015.

3. Talisman Energy USA, Inc., Pad ID: Wray 03 058, ABR-20100649.R1, Wells Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 6, 2015.

4. Talisman Energy USA, Inc., Pad ID: Schucker 03 006, ABR-20100654.R1, Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 6, 2015.

5. Talisman Energy USA, Inc., Pad ID: Morgan 01 073, ABR-20100693.R1, Armenia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 6, 2015.

6. Talisman Energy USA, Inc., Pad ID: Lyon 01 078, ABR-20100696.R1, Troy Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 6, 2015.

7. Talisman Energy USA, Inc., Pad ID: Feusner 03 053, ABR-201006100.R1, Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 6, 2015.

8. Talisman Energy USA, Inc., Pad ID: White 03 025, ABR-201006101.R1, Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 6, 2015.

9. XTO Energy Incorporated, Pad ID: Temple, ABR-20090714.R1, Moreland Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: July 6, 2015.

10. XTO Energy Incorporated, Pad ID: PA TRACT 8546H, ABR-201010070.R1, Chapman Township, Clinton County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 6, 2015.

11. XTO Energy Incorporated, Pad ID: Houseweart 8527H, ABR-201009028.R1, Pine Township, Columbia County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 6, 2015.

12. Seneca Resources Corporation, Pad ID: C09-A, ABR-201507001, Shippen Township, Cameron County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 8, 2015.

13. Seneca Resources Corporation, Pad ID: C09-J, ABR-201507002, Shippen Township, Cameron County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 8, 2015.

14. Chesapeake Appalachia, LLC, Pad ID: Crystal, ABR-201011009.R1, North Towanda Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 8, 2015.

15. Chesapeake Appalachia, LLC, Pad ID: Lytwyn, ABR-201011028.R1, Smithfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 8, 2015.

16. Chesapeake Appalachia, LLC, Pad ID: Taylor, ABR-201011034.R1, Orwell Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 8, 2015.

17. Chesapeake Appalachia, LLC, Pad ID: Roeber, ABR-201011037.R1, Wyalusing Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 8, 2015.

18. Chesapeake Appalachia, LLC, Pad ID: Epler, ABR-201011041.R1, Albany Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 8, 2015.

19. Chesapeake Appalachia, LLC, Pad ID: Comstock, ABR-201011053.R1, Rome Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 8, 2015.

20. Chesapeake Appalachia, LLC, Pad ID: Dunny, ABR-201011066.R1, Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 8, 2015.

21. EXCO Resources (PA), LLC, Pad ID: Barto Unit #1H, #2H, ABR-20090514.R1, Penn Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 8, 2015.

22. EXCO Resources (PA), LLC, Pad ID: Zinck Unit #1H, ABR-20090718.R1, Watson Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 8, 2015.

23. EXCO Resources (PA), LLC, Pad ID: Bower Unit #1H Drilling Pad, ABR-20090815.R1, Penn Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 8, 2015.

24. Cabot Oil & Gas Corporation, Pad ID: KrisuleviczV P1, ABR-201102027.R1, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 3.5750 mgd; Approval Date: July 14, 2015.

25. Cabot Oil & Gas Corporation, Pad ID: LymanJ P1, ABR-201104018.R1, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 3.5750 mgd; Approval Date: July 14, 2015.

26. Cabot Oil & Gas Corporation, Pad ID: Augustine P1, ABR-201105002.R1, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 3.5750 mgd; Approval Date: July 14, 2015.

27. Chesapeake Appalachia, LLC, Pad ID: Primrose, ABR-201011035.R1, Standing Stone Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 14, 2015.

28. Chesapeake Appalachia, LLC, Pad ID: Penecale, ABR-201011060.R1, North Branch Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 14, 2015.

29. EXCO Resources (PA), LLC, Pad ID: Maguire Unit Drilling Pad #1, ABR-20090923.R1, Watson Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 14, 2015.

30. EXCO Resources (PA), LLC, Pad ID: Kitzmiller Drilling Pad #1, ABR-20100546.R1, Jordan Township, Lycoming County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 14, 2015.

31. EXCO Resources (PA), LLC, Pad ID: Fulmer Drilling Pad #1, ABR-20100616.R1, Penn Township, Lycoming County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 14, 2015.

32. EXCO Resources (PA), LLC, Pad ID: Poor Shot East Drilling Pad #2, ABR-20100681.R1, Anthony Township, Lycoming County, PA; Consumptive Use of Up to 8.0000 mgd; Approval Date: July 14, 2015.

33. SWN Production Company, LLC, Pad ID: NR-19-Walker Diehl, ABR-201507003, Oakland Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: July 17, 2015.

34. Cabot Oil & Gas Corporation, Pad ID: ArnoneJ P1, ABR-201507004, Brooklyn Township, Susquehanna County, PA; Consumptive Use of Up to 4.2500 mgd; Approval Date: July 17, 2015.

35. Cabot Oil & Gas Corporation, Pad ID: BistisM P1, ABR-201507005, Lathrop Township, Susquehanna County, PA; Consumptive Use of Up to 4.2500 mgd; Approval Date: July 17, 2015.

36. Cabot Oil & Gas Corporation, Pad ID: LambertR P1, ABR-201507006, Gibson Township, Susquehanna County, PA; Consumptive Use of Up to 4.2500 mgd; Approval Date: July 17, 2015.

37. EXCO Resources (PA), LLC, Pad ID: Falk Unit #1H, ABR-20090920.R1, Penn Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 20, 2015.

38. Cabot Oil & Gas Corporation, Pad ID: WarrinerR P5, ABR-20100519.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.5750 mgd; Approval Date: July 21, 2015.

39. Cabot Oil & Gas Corporation, Pad ID: Daniels Pad, ABR-201010018.R1, Gibson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: July 21, 2015.

40. Cabot Oil & Gas Corporation, Pad ID: StalterD P1, ABR-201011030.R1, Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 3.5750 mgd; Approval Date: July 21, 2015.

41. Cabot Oil & Gas Corporation, Pad ID: DerianchoF P1, ABR-201011055.R1, Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 3.5750 mgd; Approval Date: July 21, 2015.

42. Cabot Oil & Gas Corporation, Pad ID: HawleyJ P1, ABR-201103009.R1, Forest Lake Township, Susquehanna County, PA; Consumptive Use of Up to 3.5750 mgd; Approval Date: July 21, 2015.

43. Cabot Oil & Gas Corporation, Pad ID: ZickJ P1, ABR-201003020.R1, Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 3.5750 mgd; Approval Date: July 21, 2015.

44. Chesapeake Appalachia, LLC, Pad ID: Norton, ABR-201011008.R1, Elkland Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 21, 2015.

45. EOG Resources, Inc., Pad ID: Housknecht 3H, ABR-20090422.R1, Springfield Township, Bradford County, PA; Consumptive Use of Up to 0.4900 mgd; Approval Date: July 21, 2015.

46. EOG Resources, Inc., Pad ID: Housknecht 1H, ABR-20090423.R1, Springfield Township, Bradford County, PA; Consumptive Use of Up to 1.9990 mgd; Approval Date: July 21, 2015.

47. EOG Resources, Inc., Pad ID: PHC 4H, ABR-20090501.R1, Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 21, 2015.

48. EOG Resources, Inc., Pad ID: PHC 5H, ABR-20090502.R1, Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 21, 2015.

49. EOG Resources, Inc., Pad ID: PHC 9H, ABR-20090503.R1, Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 0.9990 mgd; Approval Date: July 21, 2015.



50. EOG Resources, Inc., Pad ID: PHC 11V, ABR-20090720.R1, Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 0.9999 mgd; Approval Date: July 21, 2015.

51. EOG Resources, Inc., Pad ID: PHC Pad R, ABR-20100690.R1, Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: July 21, 2015.

52. EOG Resources, Inc., Pad ID: PHC 10V, ABR-20090719.R1, Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 0.9999 mgd; Approval Date: July 21, 2015.

53. EXCO Resources (PA), LLC, Pad ID: Taylor (Pad 33), ABR-20100611.R1, Burnside Township, Centre County, PA; Consumptive Use of Up to 8.0000 mgd; Approval Date: July 21, 2015.

54. Talisman Energy USA, Inc., Pad ID: Boor 03 010, ABR-20100665.R1, Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 21, 2015.

55. Seneca Resources, Pad ID: D08-M, ABR-201507007, Norwich Township, McKean County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 22, 2015.

56. Range Resources Appalachia, LLC, Pad ID: Ogontz 3, ABR-20090606.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 23, 2015.

57. Range Resources Appalachia, LLC, Pad ID: McWilliams 1, ABR-20090607.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 23, 2015.

58. Range Resources Appalachia, LLC, Pad ID: Genter 3, ABR-20100153.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 23, 2015.

59. Range Resources Appalachia, LLC, Pad ID: Dog Run Hunting Club Unit, ABR-20100456.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 23, 2015.

60. Range Resources Appalachia, LLC, Pad ID: Harman, Lewis Unit #1H, ABR-20100554.R1, Moreland Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 23, 2015.

61. Range Resources Appalachia, LLC, Pad ID: Ogontz Fishing Club Unit #12H—#17H, ABR-20100648.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 23, 2015.

62. Range Resources Appalachia, LLC, Pad ID: Lone Walnut H.C. Unit #3H Drilling Pad, ABR-201007031.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 23, 2015.

63. Chesapeake Appalachia, LLC, Pad ID: Ruth, ABR-201507008, Meshoppen Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 27, 2015.

64. Chesapeake Appalachia, LLC, Pad ID: M&M Estates, ABR-201011013.R1, Fox Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 27, 2015.

65. SWEPI, LP, Pad ID: Young 431, ABR-20100561.R1, Shippen Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 27, 2015.

66. SWEPI, LP, Pad ID: Mitchell 456, ABR-20100615.R1, Jackson Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 27, 2015.

67. Talisman Energy USA, Inc., Pad ID: 02 205 DCNR 594, ABR-201008040.R1, Bloss Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 27, 2015.

68. Talisman Energy USA, Inc., Pad ID: 02 101 Olson, ABR-201209024.R1, Hamilton Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 27, 2015.

69. XTO Energy Incorporated, Pad ID: Marquardt, ABR-20090712.R1, Penn Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: July 27, 2015.

70. EXCO Resources (PA), LLC, Pad ID: Litke 1H, 2H, ABR-20090425.R1, Burnside Township, Centre County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 31, 2015.

71. EXCO Resources (PA), LLC, Pad ID: Litke (7H & 8H), ABR-20090426.R1, Burnside Township, Centre County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 31, 2015.

72. EXCO Resources (PA), LLC, Pad ID: Snyder Unit #1, ABR-20090430.R1, Franklin Township, Lycoming County, PA; Consumptive Use of Up to 8.0000 mgd; Approval Date: July 31, 2015.

73. EXCO Resources (PA), LLC, Pad ID: Spotts Unit Drilling Pad #1, ABR-20090921.R1, Mifflin Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 31, 2015.

74. EXCO Resources (PA), LLC, Pad ID: Stroble Unit Drilling Pad #1, ABR-20090924.R1, Mifflin Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 31, 2015.

75. EXCO Resources (PA), LLC, Pad ID: Poor Shot Unit Drilling Pad #1, ABR-20090925.R1, Anthony Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 31, 2015.

76. EXCO Resources (PA), LLC, Pad ID: Poor Shot East Unit Drilling Pad #1, ABR-20091002.R1, Anthony Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 31, 2015.

77. EXCO Resources (PA), LLC, Pad ID: Kensinger 3H Drilling Pad #1, ABR-20100205.R1, Penn Township, Lycoming County, PA; Consumptive Use of Up to 8.0000 mgd; Approval Date: July 31, 2015.

78. EXCO Resources (PA), LLC, Pad ID: Myers Drilling Pad #1, ABR-20100416.R1, Penn Township, Lycoming County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 31, 2015.

79. EXCO Resources (PA), LLC, Pad ID: Warner Drilling Pad #1, ABR-20100451.R1, Franklin Township, Lycoming County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 31, 2015.

*Authority:* Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* October 2, 2015.

ANDREW D. DEHOFF,  
*Executive Director*

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